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THE COLVER LECTURES
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1925

AMERICA AND WORLD PEACE

COLVER LECTURES

HUMAN LIFE AS THE BIOLOGIST SEES IT

By VERNON KELLOGG

THE RISE OF THE UNIVERSITIES

By CHARLES H. HASKINS

THE NATURE OF LIFE

By W. J. V. OSTERHOUT

AMERICA AND WORLD PEACE

By HONORABLE JOHN H. CLARKE

**Published by
HENRY HOLT AND COMPANY**

BROWN UNIVERSITY, THE COLVER LECTURES, 1925

AMERICA AND WORLD PEACE

BY
HONORABLE JOHN H. CLARKE
FORMER JUSTICE OF THE SUPREME COURT
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Charles Kendrick Colver (1821-1896) was a graduate of Brown University of the class of 1842. The necrologist of the University wrote of him: "He was distinguished for his broad and accurate scholarship, his unswerving personal integrity, championship of truth, and obedience to God in his daily life. He was severely simple and unworldly in character."

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1925

America and World Peace, by HONORABLE JOHN H. CLARKE,
former Justice of the Supreme Court of the United States.

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AMERICA AND WORLD PEACE

I

THE INTEREST OF THE UNITED STATES IN WORLD PEACE

IN 1782, in a letter to a friend, wise Benjamin Franklin wrote a little allegory, which reads like this:

“In what light we are viewed by superior beings, may be gathered from a piece of late West India news, which possibly has not yet reached you. A young angel of distinction being sent down to this world on some business for the first time, had an old courier-spirit assigned him as a guide. They arrived over the seas of Martinico in the middle of a long day of obstinate fight between the fleets of Rodney and DeGrasse. When through the clouds of smoke, he saw the fire of the guns, the decks covered with mangled limbs and bodies dead or dying; the ships sinking, burning or blown into the air; the quantity of pain, misery and destruction the crews yet

alive were with so much eagerness dealing round to one another, he turned angrily to his guide and said: "You blundering blockhead, you are ignorant of your business; you undertook to conduct me to the earth and you have brought me into hell!"

"No, Sir," says the guide, "I have made no mistake; this is really the earth and these are men, devils never treat one another in this cruel manner;—they have more sense and more of what men (vainly) call humanity."

This was written one hundred forty-three years ago, but if that young angel—immortal in his youth—had returned to the earth at any time during the late war and had visited western Russia, northern France or northern Italy, he would have seen the same rage and fury of conflict, the same mangled limbs and dead and dying bodies, the same anguish and despair and death,—but all intensified a thousand fold. And yet we are fond of saying to one another that the past one hundred fifty years have seen more of progress than any like period of

time in the history of the world. It has seen much of progress in the sciences, in the mechanical arts and even in the processes of national government,—but in dealing with international affairs the statesmanship of the world has stood still, not only for one hundred and fifty, but for a thousand, years. In 1914 Germany and Austria undertook to settle their differences with their neighbors in precisely the same manner in which their ancestors settled with their neighboring tribes a thousand years ago, precisely as the Red Indians of America settled their differences a century ago, precisely as savage tribes of central Africa settle their disputes with neighboring tribes to-day.

Yes, in dealing with international disputes, the statesmanship of the world has stood still for thousands of years, and now when 55 nations are attempting to advance to a higher level of civilization and to substitute discussion and reason, justice and law, for brute force in international affairs, our great republic holds aloof in timidity and fear.

In a later lecture I shall discuss the

two political proposals new to the world, by aid of which many nations are now making a united effort to achieve one of those advances which have come so rarely in the long history of the race, but to-night, I wish to lay before you candidly and briefly and as clearly as I may the case for the Interest of the United States in World Peace. The spiritual, financial and political importance of World Peace to our country.

However, before I address myself to the assigned subject of the evening I think a word of personal explanation is necessary. I wish you to know that I am not an extreme pacifist. I believe that in the present state of civilization, or rather of the lack of civilized method for dealing with international affairs, it is possible for any nation at almost any time to become involved in war and therefore our country, as well as every other, having regard to its situation and the character of its neighbors, should make reasonable preparation for meeting such contingency. But because I say this I hope you will not infer that I am one of

those fatalists who go about declaring "War always has been and war always must be and it is therefore futile to try to make an end of war in the world"—for that statement is no longer true. It has not been true for ten full years. War in the form in which it was developed between 1914 and 1919 was never seen in this world before. Resort to modern science has rendered war so destructive that it now presents an entirely new problem to our generation, so new and unprecedented that it is no exaggeration to say that unless our civilization shall make an end of war, war may soon make an end of our civilization.

Coming now to the assigned subject for the hour, quite obviously, I think, the interest of the United States in world peace is threefold, —moral, economic, and political.

The moral importance of World Peace to America was recently deeply impressed upon me by reading of this little incident. An English clergyman, visiting in India, asked an educated native what he thought of the prospect for Christianity in India.

He was startled by the reply, which was this: "Ten years ago we all thought that the personality and religion of Jesus Christ were likely to become dominant in India, but the World War has changed all that, and we now look upon Christianity as a quarreling, blood-letting, western religion which has had its chance and has failed." This, of course, is the opinion of but one man and to those of us born in a Christian country and accepting Christian standards of life and morals it seems a strange, perhaps an irrational, conclusion. But consider for a moment how that war must have appeared to one of an alien faith looking upon it from the outside.

He saw all of the great nations of the world struggling for four years with all the resources of their power and science and wealth not only to destroy the armies of one another but to destroy the men and women and children of each other remote from the battle front. He saw them all, save one, professing to be Christian nations, to be deriving their religion from the same sacred books, and

to be accepting as fundamental truths, commands such as these: "Love your enemies," "Thou shalt love thy neighbor as thyself," "Thou shalt not kill."

Whatever our estimate of this one man's conclusion may be, we must all confess that the World War has rendered it greatly more difficult than it was before to "Go * * * into all the world and preach the gospel to every creature," as all Christians are commanded to do, and personally, I think it cannot be doubted that that war will have set back the cause of Christianity in the world by fifty, perhaps by one hundred years, unless the Christian nations shall have the wisdom to devise and the courage to put into effect some form of political institution which shall prove sufficient to make an end of war in the world,—but if they shall do this, the cause of Him who is called the Prince of Peace, will be advanced much nearer than it ever was before to the day of its complete triumph.

Without more, I think the moral interest of America in World Peace may

fairly be measured by our interest in the Christian religion. The war system and the religious teaching of Jesus Christ are so utterly antagonistic at every point, that with the spread of education and the growth of the critical spirit, the two cannot exist much longer together,—one or the other must disappear from the world,—one or the other must perish. It is no exaggeration to say that Christianity cannot survive another world war.

Ladies and gentlemen we are apt to think of Mark Twain as merely a great humorist, but in the later years of his life he thought deeply and searchingly of many social problems, especially of the problem of war. Not long before he died, he wrote a short article which he called "A War Prayer." When he read this to some intimate friends who urged him to publish it, he said "No, I have told the whole truth in that and only dead men can tell the truth in this world. It can be published after I am dead." It has been published since his death and as it is little known, permit me to describe it to you in barest outline.

The writer first pictures the scene of a group of young soldiers about to depart for the war. There is the usual excitement and celebration, "the drum beat and the heart beat of patriotism," and finally the boys and their friends are assembled in the local church. The pastor preaches a patriotic sermon which is concluded with a fervent prayer for victory over the nation's enemies. In the pause following the prayer a white-robed stranger enters, walks down the aisle and taking the place of the minister, after a few moments of "expressive silence," exclaims, "I come from the Throne—bearing a message from Almighty God! * * * He has heard the prayer of His servant, your shepherd, and will grant it if such shall be your desire after I, his messenger, shall have explained to you its import, that is to say, its full import." This prayer like most prayers, is really two prayers, one uttered and the other not. You heard these words "Grant us the victory, Oh, Lord, our God!" That is sufficient. The whole of the uttered prayer is complete in those pregnant

words. I am commanded to put into words the unspoken part of the prayer. Listen!

“Oh, Lord, our Father, our young patriots, idols of our hearts, go forth to battle. Be Thou now near them! With them,—in spirit—we also go forth from the sweet peace of our beloved firesides to smite the foe.

“Oh, Lord, our Father, help us to tear their soldiers to bloody shreds with our shells; help us to cover their smiling fields with the pale forms of their patriot dead; * * * help us to lay waste their humble homes with a hurricane of fire; * * * help us to turn them out roofless, with their little children to wander unfriended through wastes of their desolated land, in rags and hunger and thirst, broken in spirit, worn with travail, imploring Thee for the refuge of the grave. For our sakes who adore Thee, Lord, blast their hopes, blight their lives, * * * water their way with tears, stain the white snow with the blood of their wounded feet. We ask all this of One who is the spirit of love and who is the ever faithful refuge

and friend of all that are sore beset and seek His aid with humble and contrite hearts. Grant our prayer, Oh, Lord, and Thine shall be the praise and honor and glory now and forever, Amen."

(After a pause) "Ye have prayed it; if ye desire it, speak!—The messenger of the Most High awaits."

The World War gave this prayer an emphasis and reality of which its author never dreamed, and that it is but one form of expressing a profound and world-wide conviction that the religious professions of Christian nations are utterly inconsistent with their waging war upon one another is shown by the many resolutions to this effect adopted by church bodies since the war, but not by any with quite the emphasis of the declaration recently made by one hundred and fifty-five leading ministers and laymen of various churches saying "We are certain that unless the Church of Christ takes now a clear and consistent stand in this matter of life and death to our civilization and to the world, it will merit the contempt of men and the

judgment of God. We, therefore, urge all the people of the churches, and all ministers in particular, to an outspoken declaration that the war system and the Gospel of Christ are diametrically and irreconcilably opposed. We urge that without delay this crisis of decision between war and Christ be unmistakably recognized and stated."

I repeat, it is not possible in this critical age of ours for the Christian nations to continue to recognize and approve a system for the settlement of international disputes which upon the approach of war converts into a mere tribal, savage religion that beautiful faith in the Fatherhood of God and brotherhood of man which Christianity teaches us in time of peace. The Christian religion and the war system cannot exist much longer together, one or the other must disappear from the world—we must choose between Christ and Mars.

Let us next consider together, what the *economic* interest of America is in World Peace.

The only distinctively war book pub-

lished before the war, the thinking of which had sufficient of validity and vitality to survive that catastrophe, carries the title "The Great Illusion" and the principal thesis of the writer was, or is, for it still lives, that, contrary to current opinion, under modern international conditions, war must necessarily and inevitably always be economically unprofitable alike to the victor and the vanquished.

Seldom has a seemingly paradoxical theory been so promptly and completely proved to be true as this one was by the results of the World War.

Consider with me, for a moment, the proof of it. Our country really touched but the fringe of the great war, engaged as we were in it for only one year and seven months, while the other great nations were engaged for four years and three months. Ours was the privilege of making sure the victory, but it was over an already greatly exhausted foe. However, although we were at war so short a time it cost us in addition to more than one hundred thousand precious young lives, twenty-five billions of dollars

in money. The expression twenty-five billions of dollars has so little of reality of meaning to all of us that I must translate it into more familiar terms. It means our government spent money at the rate of more than one million dollars an hour, night and day, from our entrance into the war to April 1, 1919. It is a sum of money equal to the entire cost of our government for the one hundred and twenty-five years from the organization of it in 1789 to the outbreak of the war. It is a sum sufficient to pay the cost of such a war as that of the American Revolution for just about one thousand years. Yet, more impressively, the child born in our country to-day, though he live to extreme old age, must contribute a large part of his earnings to the day of his death, toward payment of the costs of that war. Such, such, are the *fruits of victory* for the great nation least deeply engaged in the World War.

Consider, next, the condition in which the war left the victorious nations most deeply involved in it.

The national debt of Great Britain,

three and one-half billions of dollars, before the war, is now variously estimated at from thirty-five to forty billions—quite ten times as great. The national debt of France, six and one-half billions of dollars before the war, is now estimated at forty or more billions, six times as great. And the national debt of Italy, three billions of dollars before the war, is now fifteen to sixteen billions, five times as great, and fully equal, it is believed, to the entire national wealth of that country. Such are the *fruits of victory* for the great nations most deeply engaged in this greatest of modern wars.

And what shall be said of the vanquished! It is enough to say that the German people, one of the most prosperous commercial nations in the world before the war, now in political ruin, look forward in despair to a century of slavery from which only a miracle or a world revolution can deliver them. Such, such, is the doom of the vanquished in modern war.

This certainty of withering financial calamity which another World War must

inevitably bring to us, whether we should be victor or vanquished, may well serve as a measure of the *economic* importance of World Peace to our country.

But, to-day, six years after the close of the war, the effects of it upon the business prosperity of the United States are so far from exhausted that they furnish yet another measure of the financial value of World Peace to our country.

We are an enterprising and progressive people and we have organized every department of our national industry—especially that of farming—upon the basis of producing a large surplus and of selling it chiefly to Europe and Great Britain. It may not have been wise for us to place such confidence as this implies in the prospect of permanent peace in the world, but we have done it and must accept the consequences.

Promptly upon its outbreak the World War deprived us of a large part of our foreign market, with the result that millions of American farmers in a half dozen of our northwestern states were thrown into unprecedented financial dis-

tress. Then came the years of feverish war markets and then followed the after effects of the war which for now four years have steadily and resistlessly been destroying our domestic markets, by depriving millions of our own people of the power to purchase, until it is a rash man who assumes to be able to see the financial, political and social end of it all.

One cannot realize the extent of the distress in our great northwest until he travels through that formerly prosperous section of our country. Almost every one of the banks in four or five states have failed or voluntarily closed, thousands of farmers are abandoning their lands to their creditors, and great districts are being practically depopulated as the inhabitants, in despair, are driven from their homes by the after effects of the great war, precisely as the farmers of northern France, of western Russia and of Poland were driven from their homes by the onrush of advancing armies.

There are now, and have been ever since the war ended, millions of men and

women and children in Europe and Britain who are hungry and cold and perishing. They need as never before the food and clothing, the cotton and grains and fruits which we so much desire to sell, but impoverished by the war, they cannot buy. And that, ladies and gentlemen, is what is really the matter with the business conditions in our country to-day. Former Governor Lowden of Illinois who has had unusual opportunity and occasion for studying this condition, in an address delivered in New York about a year ago, said accurately, I think, and most impressively, that unless some means are devised for restoring the European market to our American farmers, thirty per cent of our wheat lands, thirty per cent of our cotton lands and twenty per cent of our corn lands must go out of cultivation and revert to uncultivated prairie. Can you imagine sustained business prosperity in our country while such a process of readjustment as that is going on?

I have not had special training in economic science, I am not even a banker,

but I have always had a liking for the fundamentals of a problem, and it seems to me perfectly impossible that sustained business prosperity can return to our country while great parts of our agricultural population are in distress and unable to maintain their customary share in our domestic markets,—for in last analysis the farmer is the dependence of us all. He creates wealth out of the sunshine and the rain, the soil and the air, and the rest of us spend our lives juggling with him and with each other, to get the largest possible share, each for himself, of what is thus produced.

Neither the Atlantic nor the Pacific ocean is broad enough to protect us from these after effects of the last World War nor will they be broad enough to protect us from like effects of the next war, for in this modern world the nations are so knit together by steam and electricity and commerce that they are dependent on one another as never before in the history of mankind,—some for raw materials, some for manufactures, and all for markets.

The false start made toward business revival a year ago last January which failed in June, the second false start in last January which failed in March and the feverish third start now in progress, should be proof sufficient for us all that general and permanent prosperity will not return to our country while the after effects of the World War continue to palsy our markets both at home and abroad. The way, the only way, to restore permanent business prosperity to America is to reestablish permanent peace in the world and therefore our desire for—our imperative need for—such prosperity affords another, perhaps the best possible, measure of the economic importance of World Peace to our country.

And now what shall be said of the *political* interest of the United States in World Peace!

Unless we consciously direct our attention to the subject we cannot appreciate the extent to which the great war destroyed or changed the governments of the world. At the outbreak of the war the government of Russia was generally

regarded as unstable and it had long been described as "A despotism tempered by assassination," but no one in 1914 thought, that four years of war would see not only the Czar and his nobility disappear but that with them would go the great industrious, unoffending middle class of that great country, and that the proletariat would rise to supreme power under the direction of a group of petty tyrants. The ancient Empire of Austro-Hungary which so jauntily and recklessly launched the great war has also disappeared altogether. I suppose that if on July 1st, 1914, anyone of us had been asked to name the three most firmly established governments in the world, each of us would have named the German Empire as one of them, supported as it was by seventy millions of as intelligent, industrious and loyal people as any in the world and buttressed by a great navy and by the greatest, best trained, and best equipped army that the world had ever seen. But at the end of four years of modern war the Emperor, his navy and army, had all disappeared and

that great people stood, as it stands to-day, facing in despair the most forbidding future that has confronted it since the end of the Thirty Years War. In Italy representative government has broken down utterly and the rule of a dictator adventurer has taken its place. Spain also has renounced the representative system and gone back to the most primitive form of government in a military dictatorship. And even Great Britain, the mother of parliaments, has accepted changes of government which represent in theory, and probably ultimately in fact, as complete a revolution as can be imagined for that great Empire.

All of these revolutions are the plain, the immediate results of the World War and it therefore must be accepted as palpably true that men will not permanently either support or endure any form of government, despotic or free, which they discover cannot protect and preserve them from the suffering and sacrifice and misery and want, of modern war which has become incomparably the greatest scourge of the human race.

All men agree that unless some new political institution shall be devised to prevent it another world war is on the way. Some think it may come in five or ten years, others in twenty, but all agree that when it does come it will be greatly more destructive than any that has gone before, and, therefore, having regard to what has been and now is the result of the last war, we must conclude that the political interest to America in world peace may well be measured by the devotion to, and love which we have for, this Republican form of government of ours, for it is sheer folly to think that it is not possible for it to be greatly changed, perhaps to entirely disappear, in the confusion and misery which another world war would bring to us as well as to the people of other lands.

But, ladies and gentlemen, I have consciously reserved from this discussion the most important interest which America can possibly have in world peace.

I recently read somewhere that there are now living one hundred and twenty-five thousand of the men who served in

the northern armies during our Civil War and the explanation given of there being so many survivors sixty years after the close of that war was that the battles for the Union were fought by boys of eighteen years of age and under. Trench warfare, as it was developed in the World War, imposed a physical and mental strain upon soldiers greater than they had ever been called upon to sustain in any prior war, except in the hour of immediate battle, and it was then discovered that boys of eighteen years of age sustained that strain better, and recovered from it more promptly, than those a little older—even of twenty to twenty-four years of age. Thus it is plain that as all former wars have been fought by boys, so the next world war, if one comes, must be fought by even younger boys, all sent to premature death by ambitious, proud, old men. I do not wonder, nay I applaud the fact, that the young men of many nations, including our own, are uniting in what they call a “League of Youth” to protest against, to prevent if possible, the

coming of such another war in which so many of them *must* perish and in which each knows his country *may* perish. It has been said, with penetrating truth that "War is the game of ambitious, proud, old men, in which the stakes are the lives of the youth of the world."

We cannot reasonably hope that in another world war, France and Britain and Italy, will stand between us and the enemy and will again sacrifice thirteen millions of lives of their young soldiers as they did in the last war for our defense as much as for their own. On the contrary we must face the reality that in such next war millions of our own young men must perish, and therefore let the last full measure of the importance of world peace to America be the importance to our country of the millions of the youth of our land who must suffer and die in another world war.

But now since all the world agrees that another world war is on the way and must come unless some new political institution shall prove equal to prevent-

ing it, let us consider for a moment what this next world war must inevitably be. Military men all over the world are writing about it and this in barest outline is something of the picture which they draw. Submarine boats have already become under-sea men of war with greatly increased sailing radius, power and armament for destruction; tanks have become land battleships to add new horrors to the struggle in the field; aëroplanes of greatly increased power and speed are constantly being devised to carry death and destruction not less to the men and women and children of cities remote from the battle front than to the soldiers in the trenches and the field; bombs have already been devised one hundred times more destructive than any used in the late war; and gasses, some say they have already been discovered, others that they can be produced promptly should occasion call for them, so deadly that when compressed into small volume and fired from long-range guns or dropped from the air, expanding by their own force, they will

smother whole armies and cities in a single night. Such, such is something of the abyss that lies before us in the coming of another world war.

However, since it is a habit of mind with us, as a people, to think that the Atlantic and Pacific oceans so separate us from the war-making nations of the world that while such future wars may come to others they cannot come to us, let me remind you that this is not the manner in which the officers of our government upon whom we must rely in time of war look upon the future. General Pershing who speaks the last word for us upon the subject, in many addresses delivered throughout the country in recent years has been steadily warning us that we must keep prepared for another world war. Two secretaries of the navy have steadily warned us that we must maintain our navy effective to the utmost limit permitted by our five-power treaty with Britain, France, Italy and Japan—against the coming of another war. Our Secretary of War annually declares to Congress that our army

already reduced below the danger limit should be largely increased, and you all remember how President Harding two years ago commended to Congress a plan for a survey of "All the resources of the Republic, human and material so that we may be ready for a universal call to arms in national defense"—in another world war. Yet more impressively there is constantly sitting at Washington a permanent commission of the most experienced and competent officers of our army steadily engaged in perfecting plans for the next war. What such plans are has been vividly described by one of the most talented of the younger officers of our army, saying:

"The plans being perfected will determine how your boys shall be drafted, clothed, armed and subsisted, trained and transported to the field of operations; how they shall be deployed, blooded by trial battle, and finally plunged into the fury of conflict.

"It is being determined whether their dead bodies shall be buried or cremated, how the shell shocked, gassed and

wounded may most quickly be rehabilitated and hurried back for further effort, and how more and more of your boys and others like them shall be gathered with least delay and pushed into the shambles to replace those who have been destroyed.”

And in this connection let it not be forgotten that Congress is appropriating every year for army and navy purposes more than 700 millions of dollars, a sum of money fully equal to the aggregate of all of the endowments of all of the considerable Universities and Colleges of our country—endowments many of which have been slowly accumulated through several centuries. Thus the highest officers of our government, the men who above all others are in a position to know what the future has in store for us in international affairs, and upon whom we must rely in time of crisis, all unite in the conclusion that the two oceans cannot protect us from becoming involved in the next world war as they did not serve to protect us against the last one and that it is our supreme national duty to prepare,

in every way possible, against the certain coming of that day of sacrifice.

And now since all men agree that the next war, if it comes, must be greatly more destructive than the last one was, and since we are a people of short memories, let me remind you of just what that war was.

The best authorities agree: That 7,500,000 young men were killed in battle in that war; that 5,500,000 more died of their wounds almost immediately after battle, and that 20,000,000 more were wounded, not mortally, but so severely that death will be a happy release to many of them, come it soon or late. Thus 33,000,000 of the youth of the world were killed and wounded in those four years of dreadful war.

Nothing that I can say, nothing that any man in this world can say, can add to the impressiveness of this plain statement of plain facts as a measure of the importance of world peace to America. In comparison with it, tariffs, business prosperity, party triumphs, all, all, are as "The small dust in the balance."

Ladies and gentlemen, you all remember, how during the last two years of the war, as the young men from all the free nations went forward to the trenches from which so many millions of them never returned, they declared and we promised that that war should end all wars and that such a calamity should never return to desolate the earth. If ever a government, if ever a people, was pledged in sight of God and man to do all in its power,—to do all and to risk all—to prevent the coming of another world war, ours is that government, we are that people. Yet now, when 55 other nations are trying to redeem that promise made to the youth of the world, our great republic holds aloof in timidity and fear—timidly balancing the possible responsibilities and dangers of sharing in the greatest effort of all time to secure permanent peace for the world, over against the certainty of a broken faith, pledged to the living and the dead, and the equal certainty of a coming unprecedented calamity to the world.

This promise cannot be redeemed,

permanent peace cannot be obtained, by prayer,—if prayer could have done it war would have been banished from the earth long, long ago. Neither can the great end be accomplished by carrying banners declaring “There shall be no more war,” nor by passing resolutions in favor of the outlawing of war. The way, the only way, of achieving the great result is by setting up some permanent political institution, comprehensive enough, powerful enough and moral enough to substitute reason and discussion, justice and law, which are civilization’s way of settling disputes, for war which is the savage way. There is no other way—to this conclusion, through infinite sorrow and death and tears, mankind has come at last.

The statesmen and students of 55 nations believe that such an institution has been devised,—they would be sure of it if only our great country would join in its development and support.

What that institution in which is now centered the hope of the world, really is, will be the subject of my next address.

II

THE INTEREST OF THE UNITED STATES IN THE LEAGUE OF NATIONS

At the end of the first month of the World War nine nations were involved in it. When the War closed there were 36 nations involved in it and they represented more than 90 per cent of the population of the Globe. The reason why the war thus spread round the world was that steam, electricity and commerce have so brought the nations together—have so knit them together—that the invasion and interruption of the peaceful commerce of those not yet engaged in the war resulted in such irritation and growing sense of wrong that one nation after another was irresistibly driven into it. It must now be accepted, that world conditions have become such that every considerable future war must necessarily become a general—a world—war, and that our own, with every other

great nation must inevitably become involved in it.

The best authorities agree that there were 7,500,000 men killed in battle in the World War and that 5,500,000 more died immediately after battle from their wounds; 20,000,000 more were wounded, not mortally, but so seriously that death will be a happy release to many of them, come it soon or late. Thus 33,000,000 of the youth of the world, medically selected for the sacrifice, were killed and wounded in those four years of dreadful war. There were only 700,000 lives lost in the four years of our Civil War. Thus war has become 20 times more destructive of human life in the last 50 years than it was before.

The estimate of the costs of the war by the most competent authorities places the net amount of the direct costs at 186 billions of dollars, and the net amount of the indirect costs of it at 151 billions of dollars, or 337 billions in all. The most liberal estimate of the wealth of the United States makes it somewhat less than 320 billions of dollars. Thus the

destruction of the wealth of the world in those four years was much greater than if our entire country had been utterly destroyed by an earthquake or other catastrophe.

Facts such as these have led candid observers everywhere to definitely conclude that resort to science has rendered modern war so destructive of life and property that it presents a new problem to mankind, such, that unless our civilization shall find some means of making an end of war, war will make an end of our civilization.

It was pursuant to this world wide conviction, that the statesmen who led the allied nations to victory, practical men, if there ever were such in this world, resorted to a League, intended to include all the nations, and an International Court of Justice, as furnishing the only reasonable prospect of saving our civilization from self-destruction, and it is because, personally, I believe that the welfare of our country and of mankind depend upon our government taking the part of a really great nation in this most

promising attempt of all time to organize the world for peace that I have come here to lay before you, candidly and briefly and as simply as I may what I think the League of Nations and the World Court are in theory and in fact.

However, before entering upon the discussion of these two institutions, unknown to the world before 1920, I think a word of personal explanation is necessary. I shall not urge the acceptance of the Covenant of the League of Nations in the form in which it was in 1920 or in which it is to-day but rather in the form it shall take on when modified by reservations or amendments to meet what may be thought to be conditions peculiar to our national situation and to the character of our government. Personally, I care very little what such amendments or reservations may be, persuaded as I am that great political institutions do not take final form on paper, but that they must grow to meet the requirements they are to serve, and that therefore the Covenant should not be treated as an international straight jacket, as our Sen-

ators treated it five years ago, but as an experimental, tentative, document which must be modified and amended in such manner as experience shall show to be necessary, just as the Constitution of the United States has been nineteen times amended to meet changes in the opinions and needs of our nation. That the framers of the Covenant so regarded it is clearly shown by the provision made for its easy amendment.

Another fact to be emphasized, here at the outset, is the disposition in our country to exaggerate the obligations and risks of membership in the League of Nations and to ignore or minimize the inevitable result of our remaining out of it. All men, excepting a few statesmen in the United States and Russia, agree that unless the League shall prove equal to preventing it another world war is on the way which will inevitably be so much more destructive than the last one was that no man can see what the moral, social, economic and political end of it may be. Our geographical position, our wealth and power, and the desire of

every nation for our friendship, render the risks to us of joining the League much less than those of any other nation, but in another world war no other nation would have so much to lose. In all our thinking upon the subject we should remember that the alternative is,—the League or another world war, with all which that involves.

With this origin of and necessity for a League of Nations, with the scope to which our discussion is limited, and with the alternative to our joining the League, all in mind, let us proceed to consider what the existing League of Nations really is in theory and in fact. First of all the League has a constitution, but it is called a Covenant—the Covenant of the League of Nations. This Covenant consists of 26 short articles, the very first of which provides that any member may withdraw from the League “after two years’ notice of its intention so to do” and the fulfillment of all of its obligations under the Covenant. This provision is of the greatest possible importance to a correct understanding of the

instrument, because so many statesmen and editors argue against the League as if it were a European prison from which there would be no escape for us if once we should enter in, and therefore if your knowledge of the League is derived from either speeches or writings by the critics of it, you have heard or read very little about this right to withdraw—this for the very good reason that it answers almost every objection that has been raised to our joining the League. If, for instance, we should join the League and Great Britain with her seven votes in the Assembly should attempt to dominate us, or the Pope should attempt to exploit or enslave us through the League, as some persons profess to fear they would do, we could withdraw from it at any time. Or if the other nations should seek to entangle us in European affairs or to order “our sons into the shambles of Europe to fight and die in foreign wars under orders of foreign powers” as others profess to fear they would do, or if the League should turn out not to be the agency for peace which it is believed

that it is or may become, we would have a perfect moral and legal right to withdraw at any time to our isolation again. But if it be objected that two years is sufficient time for us to become involved in foreign wars, let it be answered, that if the other nations are animated by such spirit as this fear implies, we shall very certainly be involved in such wars if outside the League, as we were in the last war, without having had any opportunity to prevent it or even to know that it was coming.

There cannot be any sound thinking upon this subject without keeping in mind this specifically provided right to withdraw, for it will serve to answer many candid and uncandid objections—to allay many imaginary fears.

Next,—I am sure it will contribute to our obtaining a clear and comprehensive understanding of just what the League is if we first consider how it is provided that it shall operate—shall do its fateful work.

As in our government, we have a large House of Representatives, and a small

Senate, so the League has a large Assembly and a small Council. Each nation may have three representatives in the Assembly of the League but the three representatives have only one vote—the voting is by States—so that now the 55 member nations may have 165 members in the Assembly casting 55 votes.

There are at present 10 members of the Council of the League. Of these ten, four are permanent members, Great Britain, France, Italy and Japan. The remaining six are non-permanent or temporary members and are elected each year by the Assembly.

All the nations were so confident that our country would join eagerly in this great effort to make world peace secure, that the Covenant provides that the United States shall have a permanent member of the Council should it enter the League and even yet a vacant chair stands ready for us at Geneva.

The powers of the Assembly and of the Council are as different as is their difference in size, and let us now consider what these powers are and how they are

divided between the two, for they are fully defined in the Covenant.

The Assembly, which meets once a year, has been called the discussing body of the League, because, while it may discuss any matter "affecting the peace of the world," it may not render any decision involving important action by the nations of the League without the concurring vote of all the members of the Council, save in the single case of the admission of members to the League, which may be by a two-thirds vote of the Assembly only. But let it not be thought that discussion by the Assembly is unimportant because it may not be followed by final action except through the Council, for such discussion is certainly one of the greatest peacemakers discovered by the framers of the League of Nations. Here the voices of all the nations, great and small, interested and disinterested, will be heard focussing as never before, the moral force of the opinion of the world upon the right and wrong of every controversy before it bursts into war. Italy could not brave

the world opinion thus expressing itself in 1923,—Germany could not have braved it in 1914. For after all there is a moral government over this world, public opinion is its most potent minister, and the Assembly of the League of Nations furnishes an agency for giving expression and power to that public opinion such as was never devised before.

The Council of the League meets quarterly and “as occasion may require.” It is called the executive agency of the League because it has large discretion to deal with the recommendations arrived at through the discussions of the Assembly, and, as we shall see, also large independent discretion for discussion and to render important decisions in matters requiring final action on the part of the nation members of the League.

Any description of the working agencies of the League of Nations would be wholly inadequate without reference to the permanent Secretariat provided for by the Covenant. This permanent organization with a Secretary General and with now more than three hundred assistants of 36

different nationalities, is constantly at work at Geneva, and it is no exaggeration to say that it renders accessible for almost instant use a fund of accurate and dependable knowledge concerning international affairs such as has never been assembled before. All the great nations, save Russia, Turkey and the United States, are resorting to it with increasing frequency and it has already become such an indispensable source of information that if the League were to disintegrate to-morrow this Secretariat would have to be continued, or its equivalent provided, as a means of carrying on the international business of the world. It will be the wonder of the future that such an institution as this was not devised a century earlier than it was.

Before passing from description of the agencies for action by the League I must refer to the provision of the Covenant that except in unimportant matters, relating chiefly to detail of organization, no decision can be rendered by either the Assembly or Council except with the agreement of the representatives of all

the nations present at the meeting taking action, other than those of the parties to the dispute. The importance of this unanimity provision to an understanding of the Covenant cannot be overstated for it serves not only to make secure the equality of all the members of the League without which it could not have been formed, but it also serves to answer perfectly the apparently formidable, but really trivial, objection that if we should join the League Great Britain would have seven votes to our one in the Assembly with which it could dominate our country. It is quite true that if we assume her associated commonwealths would always agree with the mother country—an impossible assumption—Great Britain would have seven votes to our one in the Assembly, but since unanimity in all matters of importance is required our one vote against any measure would prevent its adoption—one veto is quite as effective as seven. And in the Council in which all executive power of the League resides Great Britain has one representative and

we should have one and each could be used as an unqualified veto upon the other. The fact is this seven-vote bugbear was unworthily devised to prejudice voters of Irish origin and descent against the League and every one of these should resent it as an imputation upon the intelligence of his race.

And now with, I hope, a clear understanding of the right to withdraw from the League at any time, of the requirement of unanimity to all important decisions, and of the functions of the Council and Assembly, aided by the Secretariat, in the conduct of the fateful business of the League, we come to consider what obligations we should assume by joining it for the purpose of obtaining the hoped for protection from future wars.

These obligations spring from several provisions designed to prevent war and from others designed to restore peace if any Covenant-breaking state should precipitate a war.

The first of the Covenants designed to prevent resort to war is the agreement

by each nation that every international dispute to which it is a party and which cannot be settled by diplomacy shall be submitted either to arbitrators or to the World Court for decision, but since this contemplates purely voluntary action it does not create any new obligation which we need consider here, and therefore I pass to what is the dominating, imperative obligation, designed to prevent war, which we should assume by joining the League. This obligation consists in an unqualified agreement on the part of every member nation not to resort to war against any other, over any dispute, until three months after the Council of the League shall have publicly investigated the difference and shall have published a report with recommendations for its settlement. If a case is so clear that the Council is able to reach a unanimous conclusion, then each nation agrees that it will not go to war at all against any other which accepts and proceeds to give effect to such a unanimous report. But if the difference is such that all of the members of the Council cannot agree upon

a decision then any member or group of members may publish a report with recommendations for settlement, but notwithstanding such result the parties to the quarrel shall then be free to resort to war, if they choose to do so, without incurring the enmity of the League or becoming a common enemy of all of its members.

Provision is also made for investigation of disputes by the Assembly of the League but under conditions such that it will be resorted to so rarely that we need not give special consideration to the powers granted for this purpose.

This delay with power to investigate and recommend settlement of disputes is the supreme peace-making provision of the Covenant. It may seem a short, but it is believed that in practice it will prove to be a very great, advance toward world peace.

It provides what has been called a cooling-off period, a time for bringing war passions under control, and better than this, time for the peoples of the nations, as distinguished from their states-

men and governments, to weigh the suffering and horror, and the cost and uncertainty of war, over against the importance of the quarrel. But its greatest value will probably be that it will bring the parties to a dispute face to face, around a council table, before they shall in pride or anger break away into war as the nations did in 1914,—face to face not only with their adversaries but also with the representatives of all the nations great and small, represented upon the Council, there to discuss the right and wrong of the controversy and the probable consequences of resort to war. Such conference and investigation will lay before the whole world all of the facts of every dispute and thus show which nation is on the right side and which is on the wrong side of the controversy and it is confidently believed that few nations will be rash enough to rush into the destruction of modern war asserting a cause, or in defense of a cause, proclaimed by this great agency of the public opinion of the world to be unjust and wrong.

Never in all the long history of man-

kind, before the adoption of the Covenant of the League of Nations, was there set up any permanent political institution, such as this one is, requiring all nations, parties to a quarrel, to thus meet the other nations of the world, great and small, disinterested and wise, in a final conference to prevent, if possible, resort to war.

It is believed that this defense would prevent many, perhaps all, wars if only the United States should join the 55 other nations already united in giving it a trial. Why should we not join in this greatest effort of all time to organize the world for peace? Even the United States Senate found no objection to this defense against war when in 1919 and 1920 it subjected the Covenant to as searching, as hostile, and as meticulous criticism as it is ever likely to receive.

Let us next consider Article 10—famous or infamous Article 10. This article has been declared, on the one hand, to be the herald of the coming of world peace and on the other, the harbinger, for us, of many bloody wars, if our country

should become a member of the League. It has been argued that under its terms our sons "could be sent to fight and die in the shambles of Europe in foreign wars under the orders of foreign powers without the consent of our Congress" and "that it was cunningly inserted by British statesmen to the end that our youth may be sent to the ends of the earth to defend British possessions."

However, we need not discuss what the meaning of this Article 10 unmodified would be, for it is neither wise nor politic to urge, and I do not know of anyone who is urging, that our government should join the League except with reservations further adapting it to our peculiar geographical position and such as will satisfy the doubts and fears which have been excited in our people, and it is perfectly clear that a reservation could be written in a single sentence which would render impossible the alarming interpretation which has been placed upon this article. If we should simply declare, that in entering the League we interpret Article 10, and all other provisions of the Covenant, to be

subject and subordinate to the limitation of our constitution that only Congress can declare war, it would be entirely clear that no obligation, legal or moral, could possibly attach to us for refusal to participate in any war commenced within the scope of its terms.—And there's not a man in this country nor a nation in the League that would object to such a reservation.

If we may judge by its action in 1919 and 1920, such a reservation as is here proposed, would satisfy the doubts and fears even of the United States Senate.

Thus, by a single sentence, may Article 10 be robbed of its terrors and cease to be an objection to our participating in the great experiment.

The next obligation we should assume by entering the League would be to register with the Secretariat every international treaty or engagement thereafter entered into with any other nation. No objection has been made or is likely to be made in America to this provision of the Covenant, and yet secret treaties have been such a fruitful source of wars

in the past, that it is confidently believed that this will prove to be a most important protection against wars in the future.

The next provision of the Covenant designed to prevent war, is Article 8 which in substance consists in the declaration "that the Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations," and in a direction to the Council of the League to formulate plans for such reduction of armaments for the consideration and action of the nation members.

Many advocates of peace and many American statesmen have thought, perhaps still think, that it is a simple matter for the nations to come together and agree upon a simultaneous reduction of armies and armaments to an ideal world peace basis. But four years of such study of the subject as it never received before, especially by two large committees set up by the League of Nations and composed of as able and devoted men as the

world affords, renders it clear that the statesmen of many nations are convinced beyond possibility of change, so convinced that it must be accepted as a condition of all thinking upon the subject, that security is the indispensable condition of the reduction of armaments, as certainly as that reduction of armaments is the indispensable condition of world peace, and therefore it must be concluded that all discussion of reduction of armaments will prove futile until some plan shall be found which will render the nations most exposed to attack as secure from invasion and war as they think they can render themselves by armies and navies and separate treaties of their own.

Whether a plan for the reduction of armaments adequate to induce the nations to accept it can ultimately be formulated or not, very certainly there is nothing in this Article which should prevent its acceptance by the United States because it provides only that a plan shall be framed and submitted to the various governments for their consideration and action, and therefore we

should be perfectly free, if a member of the League, to reject it if we should think that it would infringe upon our independence or rights or interfere with our safety in any respect, or that it would not accomplish the purpose intended.

Here it is worth while to again note that the Senate of the United States was willing to accept this Article also with only the unimportant reservation that our government should be free to increase its armaments beyond any prescribed limits when threatened with invasion or engaged in war, and there is no prospect at all that any nation in the League would object to such a reservation.

These four provisions constitute the only obligations we should assume for the purpose of preventing war. To three of them no serious objection has ever been made and as we have seen, the objection to the fourth may readily be removed by a reservation in a single sentence.

All of the nations of the world of any consequence, save only Russia, Germany and Turkey, which are in ruins; all of

the free nations which were our friends and Allies in the World War, regard the great experiment as so certainly promising permanent peace for the world, that they have accepted these obligations without hesitation and without reserve.

Britain, and France; Japan and Switzerland; Sweden and Norway; Argentina and Chile; and 47 other nations have united to make this the supreme effort not only of our generation but of all time to deliver the world from the greatest scourge of the human race:—why should our powerful nation be afraid to join in the great enterprise?

Let us next consider what obligations we should assume by joining the League for the purpose of making an end of war if it should come,—for the purpose of coercing and bringing to terms any Covenant-breaking state.

First of all we should agree to join the other honest nations in imposing upon the Covenant-Breaker what has come to be called the economic and social boycott or blockade. This consists in cutting off any nation violating its covenants from

all commercial and social relations with all of the other member states, and in the present state of dependence of the nations upon each other, some for food, some for raw materials of manufacture, and all for markets, it constitutes the substitute of the modern business world for war. It is confidently believed that if Germany and Austria had known in 1914 that the moment Belgium should be invaded all the ports and markets of all the other nations would instantly be closed to them and that all communication with other nations by land or sea or through the air would promptly be cut off, they never would have entered upon their mad enterprise. This is a new agency for preventing war—a new peacemaker in the world—and while there may be difficulties in giving effect to such a blockade in practice, nevertheless, the statesmen and soldiers of a great majority of the nations unite in thinking, that as a potential warning and if necessary in actual application, such a universal boycott would prove a powerful deterrent in preventing future wars. One of the

most experienced British Generals has declared that in his judgment it would prevent actual resort to arms in 99 per cent of all threatened wars.

Why should not our great nation assume its share of responsibility in the great experiment of, at least, attempting to secure the peace of the world by resort to this new substitute for war? This obligation was also accepted by the Senate with reservations which are unimportant and unobjectionable.

The chief doubt which the statesmen of other nations have as to the value of this international boycott as a preventive of war springs from fear, that the United States not being a member of the League may be tempted by prospective war profits to insist upon trading with the Covenant-breaking state, and that therefore to resort to the boycott would involve war not only with the faithless nation but with our powerful Republic also.

No American can believe that our people would ever permit their government to make common cause and war

with a treaty-breaking state, but unfortunately it is not what the fact is but what men believe to be the fact that determines the conduct of men and nations and therefore our remaining outside renders us a constant and grave menace to the development and success of the League in many ways and thus to the future peace of the world.

The remaining obligation which we would assume for the purpose of putting an end to war, should it come, would be an agreement to join the faith-keeping states in furnishing military and naval forces sufficient to bring any faithless nation to terms and thus restore the general peace.

The provisions of the Covenant creating this obligation have very certainly been the source of most of the fear of, and opposition to, the League of Nations in our country, and experience is showing such fear to be wholly groundless, for the reason that the obligation is expressed in the Covenant in such general and indefinite terms that the member nations have found it as yet impossible to reduce it

to a workable formula acceptable to all of them in practice, and there can be no doubt that if we were in the League it could be limited to any reasonable form we should desire.

The problem of giving effect in practice to Articles 8, 10 and 16 of the Covenant from which all military obligations must be derived, has been under discussion for now four years by two large committees of the League, composed of as able and experienced men as the world affords. Their labors resulted a year ago in what was called "A Treaty of Mutual Assistance" which attempted to prescribe the terms upon which every nation signing the Treaty should go to the assistance of any other which should be attacked by a Covenant-breaking state. While this Treaty did not prove satisfactory to all of the nations and therefore has not been adopted, there can be no doubt that in its terms may be found the best evidence of the construction which the member nations now put upon these articles of the Covenant, of their purposes in this grave matter,

and of how they aim to accomplish them.

The provision of this "Treaty of Mutual Assistance" which is of most interest to us to-night, and to the American people, is the one declaring that no nation shall be required to go to the assistance of any other in any military, naval or air operations in any continent other than that in which such operations shall take place, which means, of course, that no nation of Europe shall be called upon to go to the assistance of any other in America, Asia or Africa, and that we should not be called upon to aid any nation in Asia, Africa or Europe with either our soldiers or our ships.

There can be no doubt at all that it is the final conclusion of all the nations, members of the League, that practical effect can be given to the Mutual Assistance provisions of the Covenant, in case of war, only through extensive amendments to them or by treaties supplementing them, in which such obligations shall be definitely defined. And it is also entirely clear that the member nations

regard the Covenant as so far from requiring them to send armies and navies to the ends of the earth in defense of one another, as has been sometimes feared, that our government would be cordially welcomed to membership with a reservation limiting our military and naval obligation to the three Americas, and this would be an obligation not greater than we are already subject to under all recent interpretations of the Monroe Doctrine.

Inside the League, no nation could exert greater influence than ours toward determining what the scope and final form of the Covenant and of these sanctions shall be, and, as applied to this Continent both would no doubt be given any form we could reasonably desire,—but outside of it we must inevitably continue to be regarded as the implacable foe of the great experiment.

I cannot pass from this subject of sanctions and penalties without recording it as my judgment that the importance of the part which they are to play in maintaining peace under the new international order inaugurated by the League of

Nations has been greatly overestimated, because the statesmen of the world, and especially the critics of the League in our country, have greatly underestimated the restraining influence of National honor when pledged before the whole world.

There's not a people in the world which does not believe that it is so impossible for its government to violate its faith pledged in a solemn treaty that the mere suggestion that it could possibly prove thus false would be received as a national affront of the gravest character. No American thinks for a moment that it would be possible for our government, under any circumstances, to resort to aggressive war in violation of a treaty obligation however old or onerous. And yet because of the recent conduct of Germany in violating its treaty obligation to Belgium every nation suspects every other of being capable of just such perfidy and dishonor.

What nations are likely to do in the future may best be inferred from what they have done in the past and historic-

ally considered there is very little reason for such distrust and fear. A study has recently been made, by a man as capable of making such an investigation as any I know of in our country, for the purpose of determining what and how many wars from 1648 to 1914 followed upon a wilful violation of a treaty engagement, with the result that it was found that in those two hundred and sixty-six years only six considerable wars could with any propriety whatever be said to have so resulted. In that more than two centuries and a half there were in existence more than 25,000 international treaties, so that we must conclude that historically considered, the disposition of nations to keep their pledged faith has for centuries been the strongest sanction which could possibly be relied upon to support a Covenant to keep the peace. If in the past with its secret treaties and isolated national life, national honor has thus proved the strongest sanction for a national promise, surely such national honor may with much confidence be relied upon to pre-

serve the peace of the world, in a day of published treaties, of covenants entered into not with one or a few nations but with all nations in presence of all the world, and in which every statesman must always have before him the desolating punishment which modern civilization visited upon the Covenant-breaking German and Austrian Empires.

Although I am not an extreme pacifist, I am very confident that under modern conditions the value of the public pledge of their national honor by all nations to each and by each to all, in presence of the whole world, as contemplated by the League of Nations would prove such sufficient sanction for its covenants that resort to force and war would rarely if ever be necessary to preserve the peace of the world.

Thus we have considered all, absolutely all, of the obligations of any consequence which we should assume for the purpose of preventing and suppressing war if we should join the League of Nations, and surely there is nothing in them which should prove formidable

to a great and powerful nation such as ours.

And yet the entire opposition to the League in America has been based, for now six years, solely upon an appeal to our fears. Fear that the superior intelligence or cunning of foreign statesmen would entangle us in the politics of Europe, and fear that through this League for Peace we should become involved in foreign wars without the consent of our Congress. Always, their appeal has been to our fears, never to our courage, never to the prospect of our sharing in the noblest and most promising effort of all history to secure a warless world, never to the obligation so often and so solemnly assumed, to the living and the dead, during the last two years of the war, to do all in our power to prevent the return of such a calamity to desolate the earth again.

But surely, even this brief discussion, must convince us all, that the League of Nations is not an alliance of any character with any nation or group of nations, but that it is an association designed to include all nations, *for the one single*

purpose of preventing international wars. It contemplates dealing, not with those primary interests of Europe with which we have no concern, but only with causes of international war with which, as the World War proved, under modern conditions, we have the greatest possible concern. It does not propose surrendering the independent judgment of our government in foreign affairs to any greater extent or in any different manner than it was surrendered, with the approval of our entire country, in the four and five power treaties of the Washington Conference and in many treaties that went before. It does not propose to implicate us "in the vicissitudes of European politics or in the combinations and collisions of her friendships or enmities" against which Washington warned us, but is designed solely to associate us with the other faith-keeping nations of the world in the greatest effort ever made to substitute reason and discussion, coöperation and law, which are civilization's way of settling international disputes, for war, which is the savage way. It does not

propose that we shall abandon our traditional policy of avoiding "entangling alliances" with foreign powers but only that we shall share with all the other nations in the only rational plan which six years of such study and discussion as the subject never received before has been able to devise, for the single purpose of preventing our becoming involved in the immeasurable calamity of another world war.

And, let it not be forgotten, that through this whole great conception, informing and inspiring its every provision, runs the doctrine of the equality of all independent nations, with the right explicitly reserved to each to withdraw to isolation again at any time should the League prove unequal to its great design or be diverted to unworthy ends.

Of course there are risks and obligations involved in our joining the League of Nations as there are in our becoming a party to any treaty, but they are likely to be much less than those involved in our remaining out of it and they are incomparably less than fifty-five other nations

have had the courage to assume for the purpose of securing, if possible, peace for the world. There is not a nation in the world which would not prefer our friendship, if in the League, to that of any other, save possibly that of Britain, and our geographical position, our wealth and numbers and potential power of every kind render unimaginable any coalition within the League which would prejudice us or render it necessary for us to withdraw. Beyond all cavil we have less to risk than any other nation by joining the League and more to lose than any other in another world war.

Our forefathers were bold enough and brave enough to go to war, against the then greatest Empire in the world, single-handed and alone, for the privilege of trying out the greatest experiment of all time in national government;—shall it be said that we, their successors, and sons, have not the courage to join with fifty-five other nations,—all the great nations in the world not in ruins—for the purpose of at least trying to a conclusion this equally fateful experiment in interna-

tional control—this supreme effort of all that is best in our generation to create the simplest possible system of coöperation for the purpose, and for the purpose only, of preventing future wars. If it fails we can retire to our present isolation again, but if it succeeds the world will be saved.

But let us now consider very briefly what this new institution, which was, perhaps is yet, so much feared in our country, has been doing during the five years of its infancy. Let us judge it by its fruits.

First of all through the agency of the League, the Permanent Court of International Justice—the World Court,—was organized and has been in full discharge of its fateful jurisdiction for now almost three years.

Such a Court has been the aspiration of American presidents and statesmen, publicists and lawyers, for a generation, but all efforts to obtain it failed until the League of Nations with its permanent organization, by pressing its importance upon the nations, month in and month

out for two years at length secured its organization, with the support now of 48 nations. As a people we have urged such a Court upon the world as an instrument for the promotion of international justice and peace, more strongly than any other nation. Time forbids that I should describe and discuss the jurisdiction and merit of this Court this evening, and fortunately it is not important that I should do so, for this has been most competently done by former Senator Root and by Secretary Hughes speaking to a critical audience of international lawyers in April, 1923. While there is not time for me to present to you the legal merits of the Court or the political value of such an institution as an agency of peace, there is time for me to submit it to you upon authority, which, necessarily, is the basis upon which such an institution must be accepted or rejected by a large majority of us all. Three presidents of the United States have recommended precisely such a Court to our country and to the world and two presidents have recommended the existing Court with

four reservations designed to satisfy those who fear that it is not wholly free from influences of the League of Nations. That Roosevelt favored such a court is shown by the explicit instructions given by his Secretary of State, Root, to our representatives at the second Hague conference to do all in their power to obtain it; that Taft favored it is shown by many of his addresses and by the efforts of his Secretary of State, Knox, to obtain it; and that Wilson favored it is shown by his insisting that provision should be made for obtaining it in the Covenant of the League of Nations. Harding not only favored such a Court but this very Court in his message to the Senate in February, 1923, and in subsequent addresses; and Coolidge has specifically approved it in two messages to Congress.

Never in my time has an important political measure been so strongly recommended to our people by presidents and statesmen of both of the great political parties as this Court has been. Such recommendation should be, and it is confidently believed will be, sufficient

to induce our Government to accept at least this one of the two new peace-making institutions which constitute the only good results that have come out of the four years of dreadful war. The only plausible explanation of the opposition to our participating in the Court which still persists on the part of a few United States Senators and editors is that they regard the saving of their own faces as of greater importance than the welfare of their country.

In my judgment if the League of Nations were to disintegrate to-morrow the fact that it has given this Permanent Court of International Justice to the world would have justified in very large measure the hopes which have been centered in it.

During the five years of its infancy, by interposition of its peaceful methods of discussion and reason and delay, the League has settled five as promising prospects of war as its worst enemy could have wished to see provided to test its character and power. It is true that in retrospect, critics of the League have

minimized the importance of these disputes, claiming that without the League they would have been peaceably settled by diplomacy, but, nevertheless, as each arose it was thought by the most experienced statesmen and journalists to be amply sufficient to set the world again in flames.

And let it not be forgotten that in these five years of unexampled unrest and turmoil in Europe not a ship nor a soldier has been moved, not a shot has been fired, to enforce any finding or to promote any policy of the League of Nations.

But the League has been proving itself to be an agency for better understanding and coöperation and so of peace, among the nations in many unexpected ways.

When an epidemic of typhus in Russia became a menace to western Europe and to the world, the threatened peoples turned instinctively to this new international agency and it dealt with the emergency in a manner beyond all praise.

A half million prisoners of war were slowly dying in Russian prisons; Russia was eager to dispose of them and their

home nations were eager to receive them. The difficulties in the way of dealing with Russia, which proved insuperable to individual nations, were speedily solved by this new representative of many nations, and through the devoted service of Dr. Nansen, the distinguished representative in the League of neutral Norway, this great army of men was speedily restored to home and friends and usefulness again.

The League is the first international organization in all history with a program for lifting up the labor of the world instead of holding it down—the fate of Russia warns us that it is easier and better and safer to lift men up than to try to hold them down.

It is the first important political agency to declare that surrendered territories and the people who inhabit them shall not be treated as mere spoils of war to be dealt with by victors in their discretion, but that both shall be treated as “a sacred trust of civilization” to be administered under a system of mandates responsible to the public opinion of the

world and under the distinctively American doctrine of the "Open Door." It has dealt so promisingly with the criminal traffic in women and young girls and with the traffic in opium and habit-forming drugs, that it has attracted to itself even our government, to the extent of sending "unofficial observers" of its efforts to suppress these great evils, and the manner in which it is rescuing Austria from financial ruin when all other agencies had failed, is exciting the admiration of the world.

But incomparably the most important achievement of the League has been the cultivation of a world opinion which induced the representatives of 48 nations to unanimously recommend to their governments the Protocol for the Pacific Settlement of International Disputes which I am to discuss with you a week from to-night.

In this Protocol for the first time in the history of the world many responsible statesmen of many great nations have specifically declared every war of aggression to be an international crime and

that they are ready to submit all international differences of every character to either the World Court or to arbitration for final settlement and thus make an end of war in the world. Such a program would have been thought chimerical five or even two years ago and it was rendered possible in last October only because by centering the attention of the world upon its pacific methods the League has been steadily and rapidly creating a public opinion which will no longer tolerate the thought that the right or wrong of a controversy can be more wisely determined by war than by conference and discussion, by reason and by law.

There is much more, but I have said enough to show that the League in practice is a very different thing from what many men imagined four years ago it would become. It is a League not for war, nor only to prevent wars, but above all it is proving itself to be a League for peace, by solving many international problems with which one or a few nations cannot possibly deal successfully,—such as famine, and epidemics and insidious,

age-long injustices to submerged minorities worse than any or all of these. It is entirely probable that one of the greatest services of the League to mankind will prove to be the annual bringing together of the representatives of many nations about one council table, there, face to face, to discuss, calmly and candidly, the problems of peace and the remote causes of war rather than the immediate crises that precipitate it. The difficulty in the past has been not that international problems were insoluble to reason and discussion but that there has not been any permanent international agency to try to solve them before it was too late, before war passions were aroused and soldiers were on the march.

These results, achieved by the League of Nations during the three years of its infancy, as I have indicated them, speak for themselves, but who can measure how much greater they would have been had our country been a member or how much greater they may be in the future if our country shall only join and foster it?

Such, ladies and gentlemen, is something, in barest outline of what the League of Nations is in theory, and something of what five years of experience have shown it to be in fact.

But, I think I hear some of you saying there is so little that is alarming in all this that if it is a fair statement of the case for the League, how was it possible for the Senate to reject the Covenant?

The amazing fact is that the Covenant of the League of Nations was rejected by a Senate which was overwhelmingly in favor, not only of some kind of a League of Nations, but of the Covenant of the existing League, slightly modified by reservations which many of the friends of peace thought at the time should be accepted and which almost all of us now believe may well be accepted so far as time has not already rendered them inapplicable or absurd.

The real difficulty was that the reservations proposed by the Senate were framed in such form that the President believed that they were designed to cut down the constitutional powers of the

Executive in dealing with foreign affairs rather than to modify the terms of the Covenant, and, for this reason, concluding he could not accept them under his oath of office, he rejected them.

But it is not for us to determine where the praise or blame for that rejection lies; our problem is to decide what the duty of the United States is now in this grave matter in light of the experience of the last five years.

First of all it must be recognized that the League of Nations is a political institution as definitely established as is the British Empire or the government of the United States, and that whether we join in it or not it will go forward to discharge greater and greater functions which may well determine the destiny of many nations—perhaps of our nation. The 55, soon to become 58, member nations of the League with Britain and France in the lead, will never let it die.

Year by year, almost month by month, new and greater duties are being committed to the League, by treaties, by conferences and by the irresistible neces-

sities of the nations, until it must soon become, if indeed it is not now, impossible for any great nation to conduct its indispensable business and political relations with other governments of the world, except through its multiplying agencies and powers.

By treaties, by international conventions and by actual practice the 55 nations united in the League are rapidly making new international law for the world. Fifty-five nations can make international law without the United States and the only alternative to our accepting such law may be war, modern war, with all which that implies. So confident is the League of its power to make such law that it has created a Commission to undertake the formulation, or as we say on this side the sea, the codification, of International law. Surely it is the part of wisdom for our government to join in this great enterprise so that American standards of international justice and law and right may modify, if not indeed be written into, this new Code for the world.

Our remaining outside the League is

not only making it impossible for us to share in the leadership of this greatest experiment of all time, but it is resulting in a misunderstanding and misrepresenting of our motives which may easily result in "gravest consequences" to us all. Already it is being more than whispered throughout the world that the reason why America does not accept the Covenant is that we do not wish to solemnly bind ourselves before all mankind to respect the territorial integrity and political independence of all other nations, strong and weak, because of imperialistic designs which we have upon the oil wells and mines of Mexico and of other lands. Of course we know that all such insinuations are wickedly false but, I repeat, unfortunately in this imperfect world it is not what the fact is, but what men believe to be the fact, that determines the conduct of men and nations.

Considerations such as these warn us that the other nations are moving forward to higher international levels while we remain below. They warn us also

that not only is the moral leadership of the world passing permanently away from us but that if we persist in our present courses we shall soon awake to find ourselves as friendless in the world as Germany found herself in 1914.

I often wonder if the statesmen and editors who are daily doing their utmost to destroy the League of Nations, realize that it represents the only, concerted, rational effort now being made in the whole world to save the world from return to international anarchy and war again and that while the Covenant is confessedly new, and human and imperfect, nevertheless it represents the best statesmanship of our generation, the present highest moral expression of the race, and that therefore it would seem to be the duty of us all to seek to sustain and improve it and not to try to destroy it.

But how stands the Great Cause with our country? Few men have had such opportunity as I have had during the past two years for learning what the American people are thinking about this fateful subject. I have discussed it

before large audiences in almost every considerable city in our country and I have talked of it with thousands of men and women who are obviously the natural leaders of the communities in which they live. As a result of this experience I am sure that an overwhelming majority of our people earnestly favor World Peace and the participation of our government in the World Court with the Harding-Hughes reservations, and I am equally certain that a majority, not so great, but still very great, is in favor of our government taking the part worthy of a really great nation and entering the League of Nations with reservations, and I am very sure that that majority grows with every passing year. Our universities, colleges and schools are a unit in favoring the League of Nations; church congresses and conferences everywhere are advocating it; women's organizations which evaded it two years ago are coming generously and rapidly to its support, all labor unions approve it, and almost all of the reputable newspapers of our country are its

devoted friends. If these do not constitute the sources to which we should look for the expression of the public opinion of America, I do not know where we should look for it.

In 1918 and 1919 all America favored our joining such a League, as the only means of preventing future wars and of redeeming the promise made to the living and the dead, that the World War should end all wars, and the only reason why we did not enter it in the beginning was that the subject became immersed in party politics with all of the misrepresentation and misinterpretation which that implies. But the question has now been delivered from partisan politics in a most unexpected way. The Democratic party, as a life-long member of that party I say it with regret and shame, deserted the Great Cause in last June and its overwhelming defeat which followed in November renders it, for the present, so negligible as an opposition party that an opportunity, not likely to come again, is now before President Coolidge and his advisers to take their party off of the

wrong side and to put it on the right side of this greatest moral question of all time. The Republican party has been kept in power three-fourths of the time during the last sixty-five years, chiefly because it was on the right side of the great moral question of slavery, and nothing but a fatuous leadership can now prevent it from intrenching itself in power for another generation by seizing upon the opportunity of setting itself right upon the even greater moral question of organizing the world for peace. There are millions of men and women in this country to whom party allegiance is as nothing compared with their devotion to this great cause.

Ladies and gentlemen: As I sat in the historic old Hall of the Reformation at Geneva on the first day of last September and saw the representatives of more than fifty nations coming from the four quarters of the globe to confer together concerning the peace of the world, and as I realized that no representative would come from my country, that no voice from America would be heard in that

most fateful conference in all the centuries, I wondered, I wondered, if my countrymen realize that by holding aloof from this greatest effort of all time to organize the world for peace, we are opposing it and declaring that as a nation we prefer the old way of war to the new way of conference and coöperation, of justice and of law. I wondered if as a people we realize that if this experiment fails, mankind will stand, helplessly confessing its inability to cope with the greatest scourge of the human race, and despairingly awaiting the oncoming of another world war, the moral, financial, and political effects of which upon our country and upon mankind no man can measure.

III

THE PROTOCOL FOR THE PACIFIC SETTLEMENT OF INTERNA- TIONAL DISPUTES

A GOAL TOWARD WHICH ALL FRIENDS OF WORLD PEACE SHOULD STRIVE

I HAVE selected for my subject this evening the "Protocol for the Pacific Settlement of International Disputes" because it very certainly marks an advance in the evolution of international political thought and institutions which will never be wholly lost to the world. It may fail utterly of ratification for the present, but the standards it sets up will always constitute a goal toward which the friends of world peace will strive until, in God's good time, it is reached. Notwithstanding what has occurred in the world during the past ten years, the fact that such a program for peace as this Protocol presents has commanded the approval of the representatives of forty-

eight nations is new and convincing proof that the race still rises.

With your permission, ladies and gentlemen, I shall follow a practice this evening, which seemed to me of value during a long service at the Bar, and shall try to clarify, by a few definitions, the discussion which is to follow.

First of all, following European custom the word "protocol" is used to designate this preliminary treaty or agreement, for that is what it is, which is intended to supplement, and extend the scope of, but not to supersede the Covenant of the League of Nations. It is the declared purpose of the nations to incorporate the substance of the Protocol into the Covenant by amendment so that the two shall ultimately constitute one treaty.

Next, permit me to remind you that the Protocol by its terms is not to become effective until a plan for the Reduction of Armaments shall have been adopted by an International Conference to be held at Geneva in next June. Such Conference, however, is not to be held until a majority of the nations having permanent

members of the Council (they are Great Britain, France, Italy and Japan,) and ten other members of the League, shall have ratified the Protocol. The requisite ten other nations have accepted it but as yet only France of the four great nations has done so. All nations, whether members of the League or not, have been invited to the Conference in June, but if sufficient nations have not ratified the Protocol by the first of May, the Council is empowered to either cancel the invitations or to adjourn the Conference to a later date.

The sole purpose of the Protocol is to furnish a basis for a plan for a reduction and limitation of armaments which is now universally deemed the indispensable condition of permanent world peace. If it proves insufficient to serve this end, by its own terms, it becomes null and void and some new solution of that difficult problem must be sought for.

Permit me also to observe that while the technical designation of this program is the "Protocol for the Pacific Settlement of International Disputes," it has

already, with much propriety, been popularly named the "Protocol to Outlaw War,"—for if it can be carried into effect it will make outlaw nations of all which resort to war instead of to the World Court or arbitration for settlement of any international differences. It is also frequently designated as "The Geneva Protocol."

Finally, it is my purpose to describe what this Protocol is rather than to discuss the merit of its measures. It is necessarily so technical in its terms and its provisions are so interlaced with those of the Covenant, of which it is to be a part, that it would be quite impossible for you to follow a minute discussion of it without both texts before you, and being sure that such discussion could not hold your interest, I shall not enter upon it.

With the air thus cleared, let us approach the subject assigned for the hour.

It is amazing, but it is true, that the American editors and statesmen who are critical of the League of Nations are still appealing to the fears of our people

by emphasizing and exaggerating the traps and pitfalls devised to entangle our feeble country in foreign wars, which they imagine they have discovered in the Covenant of Peace as it was approved in June, 1919, and which they treat as if it were the final form of the constitution of the League of Nations,—immutable, unchangeable as the laws of the Medes and Persians. Yes, their appeal is always to our fears, never to our courage, never to our sense of duty to the future of our country and of mankind, never to our obligation so solemnly assumed, to the living and the dead, to do all in our power to prevent the coming of another world war.

But meanwhile the member nations of the League are dealing with the Covenant with the greatest possible freedom, treating it as a tentative draft of a constitution for an entirely new political institution, occupying an entirely new field, in which there was no experience to guide its framers at the time when it was written. They have amended it and are now going forward to expand and supple-

ment it so that it may serve the needs of the nations as experience is proving them to be. We are here to-night, for instance, to consider in this Protocol an amendment and supplement to the Covenant which five years, even two years, ago, would have been regarded as so impossible, if not chimerical, that no one would have thought of proposing such a thing to an Assembly of the League of Nations, and yet, so rapid has been the evolution of thought upon the subject that on the second day of last October, the Assembly with 48 states represented, unanimously approved and recommended it for ratification to their various governments.

For the purpose of reminding you that such amending of the original form of the Covenant does not indicate weakness of conception or of form but only shows that it is running true to the manner of development of all great political institutions, let me recall to the critical among you; that 131 amendments to the Constitution of the United States were proposed by the legislatures and conventions which ratified it; that

the first House of Representatives proposed 17 amendments to it; that ten of these were actually adopted within three years after the Constitution went into operation; and that nine more amendments have since been added to it to adapt it to the changing needs and opinions of our people. And yet we Americans love to quote that declaration by Gladstone that "the American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man." Yes, all friends of peace admit that the Covenant and this Protocol, even as the Constitution of the United States, are human and therefore imperfect instruments which must be slowly modified to adapt them to the needs they are designed to serve as experience shall show them to be.

I am sure it will contribute further to our understanding of the Protocol for us to follow for a moment the evolution of thought and opinion among the nations shown by the gradual approach of their representatives to the state of mind in which they unanimously accepted it.

In 1921, the Council of the League of Nations appointed two large commissions of as competent men as could be found in the world, and charged them with the duty of devising a plan for a reduction of armaments such as is contemplated in Article 8 of the Covenant, i. e., "to the lowest point consistent with national safety and the enforcement by common action of international obligations." After two years of such study and investigation of the subject as it had never received before, these Commissions reported to the Assembly that it was entirely clear that it would not be possible to secure the desired reduction of armaments until the nations which deemed themselves most likely to be attacked should in some manner be rendered as secure, or at least be convinced that they would be as secure, after such reduction, as they could render themselves by maintaining armies and navies, and they declared it to be the final conclusion of their members that confidence in security from attack is as indispensable a condition of re-

duction of armaments as such reduction is an indispensable condition of world peace.

These Commissions also reported that, in their judgment, the most promising method of providing such security was by treaties of mutual assistance under the terms of which the nations signing would bind themselves to go to the assistance of each other, with such forces as might be agreed upon, should anyone be attacked by a Covenant-breaking state. The danger of such treaties becoming alliances of one group of nations against another group and thus restoring the old system of the balance of power which proved so disastrous in the past, it was thought could be provided against by requiring them to be negotiated under the auspices of, filed with, and published by, the League of Nations, and by making them open to all nations desiring to join in them on equal terms.

The Assembly of the League was so impressed by the promise of this plan proposed, that in September, 1923, it instructed the Commission to go forward

and formulate such a treaty of mutual assistance and to report it to the next meeting of the Assembly in 1924. Under this direction the Commission agreed upon a form of treaty and in last June sent it to all the member nations, not for signature, but for discussion and suggestion. However, before the meeting of the Assembly in September, it was clearly apparent that this plan would not be approved by a sufficient number of nations to render reduction of armaments possible, and thus after almost four years of effort the League seemed entirely unable to devise a program for the action which all regarded as indispensably necessary to securing disarmament and peace for the world. If a temporary World Conference had come to such an impasse as this, it must inevitably have dissolved in failure, but to the permanent World Conference of the League it proved to be simply a stimulating challenge to further effort, to which the nations responded by sending to Geneva to the next meeting of the Assembly their ablest and most distinguished statesmen with

instructions to do all in their power to deal successfully with the crisis.

After a week of discussion, led by the prime ministers of Britain and France, the whole subject of security and reduction of armaments was recommitted to two committees of the Assembly with instructions to formulate a new plan of action taking into consideration the comment of the various governments on the proposed treaty of mutual assistance and the views which had been expressed in the debate.—The result was the Protocol which we are now to consider, the fundamental purpose of which is to provide for the submission of all international disputes of every character to either the World Court or to arbitrators or to the Council of the League for final decision and also to set up a system of sanctions which will render the punishment of any Covenant-breaking state, swift and sure, and as nearly automatic as possible, and thus furnish a basis for security sufficient, it is hoped, to induce the nations to consent to a reduction of armaments adequate to secure

the peace of the world. Such is the origin of the Protocol. It is the result of three years of study and investigation of the problem of security and limitation of armaments such as it never received before.

The text of this Protocol consists of a preamble and 21 short articles, and the third paragraph of the preamble contains the declaration, made by responsible statesmen for the first time in recorded history, that "a war of aggression constitutes * * * an international crime." The Second Article contains the equally unprecedented declaration that "the signatory states agree in no case to resort to war * * * with one another."—These are not the declarations of a Sully, a Rousseau or a Kant in his study, but coming as they do from the practical statesmen of many nations they register an advance toward world peace which, very certainly, can never be wholly lost to the world, regardless of the present fate of the Protocol.

It is obvious that if these two declarations were faithfully observed, and if all

nations were members of the League, there could be no more war over international disputes. But the practical men who framed this Protocol realizing perfectly that good resolutions, even strong popular opinion, are often powerless, and disappear when the war fever comes upon nations, unless rendered permanent and effective by being incorporated into definite political institutions, proceeded to prescribe a method of procedure, not to be evaded, for submitting to peaceful decision every disputed international question as it may arise, and thus to have every member voluntarily impose upon itself a course of conduct which would render it as difficult as it is humanly possible to render it for any one nation to make war upon any other.

The remaining articles of the instrument all designed to effect this purpose quite obviously fall into three divisions: In the first division are provisions requiring the submission of all international disputes of every character, to the World Court, to arbitrators, or to the Council or Assembly of the League of

Nations, for final decision. In the second division are found the sanctions or penalties which are designed to render the consequences of resort to war so formidable that no nation will lightly run the risk of incurring them. And the third division contains a novel procedure for determining, in a manner almost automatic, when a nation has so violated its covenants as to have become such a common enemy as to call for the united efforts of all members of the League to restore and preserve the general peace.

It will be best, I am sure, to consider these divisions in the order stated. And first, as to the World Court.

It is of first importance in this connection to remember that all international disputes have come to be divided by statesmen and international publicists and lawyers into two classes, viz., justiciable disputes in one class and political disputes in the other. In general terms justiciable disputes are such as depend for decision upon the interpretation of treaties or upon the application to them of international law, and

these, therefore, are peculiarly adapted to decision by a Court. All other disputes may be loosely classed as "political," involving as they usually do matters of national policy.

Following this division of international questions, Article 3 of the Protocol provides that all justiciable disputes shall be referred to the World Court for decision which shall be final, save in a single instance to be separately considered, and this jurisdiction in the Court is declared to be *compulsory*, but subject to permitted limited reservations.

The advance which this provision of the Protocol constitutes upon anything in the past is shown by the fact that all of the great nations have hitherto refused to accept compulsory jurisdiction in the World Court,—even the pending Harding-Hughes proposal for our adhering to the Court limits our acceptance to an optional jurisdiction, i. e., to such questions as our government may voluntarily submit to the Court for decision.

In this manner is proposed for the first time in history a peaceful and compulsory

method of deciding every international dispute arising from a justiciable dispute.

Permit me to pause here to consider for a moment, the special interest which the United States has in this World Court, with a jurisdiction thus enlarged by the Protocol. With our great commerce, our Island Possessions, the Panama Canal, and our many treaties with many nations, no government, save perhaps that of Britain, is more likely than ours is to become a party to justiciable disputes with other nations and to have need therefore of the best possible tribunal for settlement of such questions. I have never heard nor read one word of criticism of the character, learning or other qualifications of the present judges of the Court, and the provisions of the law creating it insure, as far as it is humanly possible to insure such a thing, that their successors shall be equally experienced, competent and impartial. I fully agree with Secretary Hughes that "we need the best possible international tribunal to decide our differences with

other nations and that this Court is the best that has been devised."

But there is another reason which makes adherence to this Court of the greatest possible importance to our country. For a generation, our presidents, statesmen, publicists and lawyers have been urging the other nations to join us in creating just such a court as this one is, as an agency of international justice and peace. And if now when acting upon our advice forty-eight nations unite in inviting us to participate in such a court as we have so long recommended, we shall refuse, what must their opinion of us be! They must inevitably conclude that in urging such a court upon them we have been uncandid, deceitful, false. I wonder if the senators and editors who are opposing our participation in this World Court of Justice realize how deeply they are wounding the good name of their country:

"Good name, in man, and woman (and nation),
dear, my Lord;

Is the immediate jewel of their Souls."

Every consideration of national honor

as well as every consideration of national interest requires that having so earnestly recommended such a court to the other nations we should now join them in supporting and developing it, new agency that it is so certainly destined to be of international justice and for the development of international law. President Coolidge recently said most impressively, "No nation may risk the ill opinion of civilization."

However, since most wars have arisen in the past, and, if they must come, will probably arise in the future from political as distinguished from justiciable disputes and since the learning and experience of judges do not specially qualify them for dealing with political questions, this Protocol provides that all such shall be referred to other agencies for decision—to the Council or Assembly of the League, or to Committees of Arbitrators—and its chief aim is to prescribe a procedure such that it will be impossible for any member nation ratifying it to refuse to submit every international dispute as it may arise to one or the other of

these three agencies for decision under penalty of making itself the common enemy of all the members of the League.

The process by which the nations propose, through the Protocol, to voluntarily impose upon themselves a course of conduct which must result in the submission by all faith-keeping states of all international disputes to compulsory pacific decision is new and necessarily complex and I think it can best be explained by reference to the advance which it constitutes upon the provisions of the Covenant of the League of Nations, which represents the greatest previous progress toward the creating of a permanent political institution for the prevention of war.

You all remember that Article 15 of the Covenant of the League of Nations provides that if a dispute likely to lead to rupture shall arise between member nations, which is not submitted to voluntary arbitration, it must be submitted to the Council of the League for investigation and published report before any state may under any circumstances go

to war against any other. In such case the first duty of the Council is to use its good offices, by persuasion and discussion, to effect a voluntary amicable adjustment of the differences, but if it fails in this, it must go forward to a full investigation and report. The Protocol adopts and follows the procedure of the Covenant to the point where using its good offices the Council fails to effect an amicable settlement, but thereafter the process is entirely new, and is as follows. First, the Council must endeavor to persuade the parties to submit the dispute to arbitrators of their own selection, or to the Court, if a justiciable question is involved. It is confidently believed that many, perhaps most, political disputes will end at this stage with submission to arbitration, for the reason that as yet the parties are at liberty to choose their own arbitrators, to prescribe their powers and to define the questions to be decided as well as the procedure to be followed, all of which authority passes to the Council in the next stage prescribed.

If, however, the parties cannot be

persuaded to thus voluntarily refer their differences to arbitrators of their own selection, and any party to the controversy shall request it, then it becomes the duty of the Council to appoint arbitrators and to prescribe their powers and procedure and these must go forward to settle the case by rendering an award which shall be binding upon all concerned.

But if the nations have become so hostile that none of the parties is willing to request arbitration of the dispute, still they may not go to war about it, and thereupon it becomes the duty of the Council to itself make full investigation of the case and if it is so clear as to the merits of it that a unanimous conclusion can be arrived at, that conclusion must be accepted by all concerned as the final disposition of the dispute.

If, however, the case is not so clear that the Council can arrive at a unanimous conclusion then it must proceed and select arbitrators to decide the case precisely as if some party had requested such arbitration.

It is expressly prescribed (Act 4) that

arbitrators shall in all cases be chosen "from among persons who by their nationality, their personal character and their experience * * * furnish the highest guarantees of competence and impartiality," and all members specifically undertake to carry out any decision rendered by the Court or arbitrators or by unanimous decision of the Council.

When stated thus in detail the function of the Council in this grave matter may seem involved, but epitomized it becomes really very simple. It first urges the parties to a dispute to settle by mutual concession, but that failing, it urges them to voluntarily accept arbitration or Court decision, but that failing, on the request of any party the Council must appoint arbitrators with power to finally decide the case. However, if none of the parties requests arbitration, then the Council shall itself decide the case if it can do so by a unanimous report, but failing in unanimity, an ultimate tribunal of arbitrators must be appointed by the Council precisely as if some party had requested it. Thus under this proposed

system every international dispute must be settled by the World Court, by arbitrators selected by the parties, by arbitrators selected by the Council or by the Council itself if the case is so clear that it can do so by unanimous decision.

In this manner is provided a pacific tribunal with every assurance of character, competence and impartiality, to decide every possible international political dispute. The nations are to be free and will be urged in every way to compose their differences or to select the members of their own tribunal to decide their case, but failing in these respects they may not go to war but must accept the settlement prescribed by men selected by others.

This is the most important provision of the Protocol, it is the most important proposal ever made in all the long history of mankind by responsible statesmen to the nations for the settlement of international disputes. It is not too much to describe it as the supreme effort of all that is best in our generation to set the present and the future free from the

barbarous trial by battle devised by savage tribes of savage men as a method for settling international differences, by substituting for it the decision of the most competent tribunals which the nations have yet been able to contrive for the accomplishment of that great end.

All this is so new and novel in international relations that it may well be that the requisite number of nations have not yet risen to a level of civilization capable of giving even a trial to this great proposal, but after all it is precisely the system of settling differences with which we are all familiar in daily private life and with which as a nation we are familiar in dealing with the relations between the states of our Union. It should not take long familiarity with such a process or much discussion of it to convince the nations, especially to convince our nation, that almost any settlement of a difference arrived at by such a carefully selected, impartial and rational tribunal as is here proposed is much more likely to be wise and just than any decision arrived at through the irrational and

savage process of war—for that is the alternative.

But, ladies and gentlemen, the practical statesmen who framed this Protocol having in mind the recent violation of solemn treaty obligations by the German Empire were not content to rely wholly upon the moral obligation of self-assumed covenants and they therefore proceeded to write into what I have called the second division of the Protocol various sanctions or penalties, designed to curb and keep within its obligations any nation which for any reason might contemplate disloyalty to its covenants, and to punish any state which should actually violate them. Two of the sanctions or penalties relied upon for this purpose are the same as those of the Covenant and are adopted from it by reference. They are, first, the economic and social blockade or boycott, and then, if that proves insufficient, combined military, naval and air operations upon the call of the Council.

The experience of the last five years proves that the greatest infirmity of the

Covenant lies in the general terms in which the provisions dealing with these sanctions were necessarily written. Article 8 provides for a plan for the reduction of armaments which four years of intense and intelligent effort has not been able to formulate: Article 10 provides that in case of aggression threatening the territorial integrity or political independence of any member, the Council shall "advise" upon the means to be taken to restore peace: Article 11 declares that in case of war or threat of war affecting any member, the League shall take such "action as may be deemed wise and effectual to safeguard the peace of the nations"; and Article 16 provides that if any member resorts to war in disregard of its Covenants the members shall all forthwith sever all trade, financial, and social relations with the Covenant-breaking state and its people and the Council shall "recommend" to the several governments concerned what effective military, naval or air force each shall contribute "to protect the Covenants of the League."

Thus these obligations are of such a

general character that all attempts to reduce them to terms sufficiently definite to render the prospect of practical application of them satisfactory to the many nations have failed, as yet, and the effort of this Protocol is by new definitions and by providing for supplemental agreements and treaties to give to them such definite character as will induce the nations most exposed to attack to limit their armaments and to rely upon the provisions of the League for protection from invasion by a Covenant-breaking state.

For this purpose the Protocol provides (Art. 11) that in case of aggressive war the Council shall call upon the loyal members to forthwith apply the economic and social blockade against the aggressor and it is made their duty to immediately respond. Likewise each nation binds itself to "loyally and effectively" answer the call of the League with military and naval and air forces "In the degree which its geographical position" and its armaments may allow.

Let it be noted, however, that no sanc-

tions or penalties are provided for failure to respond to such a call of the League for assistance, and that so far as the text of the Protocol is concerned the entire obligation of it is left to rest upon the national honor of each member state,—upon the estimate which each may voluntarily place upon its solemn Covenant to “loyally and effectively” support the program for securing permanent peace for the world. And let it also be noted that this implicit reliance upon national honor must necessarily take from the League of Nations the last vestage of that specter of a super-state which frightened so many timid souls five years ago into imagining that the League had power “to send our sons to fight and die in foreign wars under orders of foreign powers.” For reasons which have been stated elsewhere, personally, I believe that no other sanction could equal the force and value of this reliance upon the honor of each nation publicly pledged to all and upon the honor of all nations publicly pledged to each to maintain the general peace against any am-

bitious Covenant-breaking state and that rarely would it be found necessary to resort to any other penalty.

But no doubt because the practical statesmen who framed this Protocol thought that to allow the support of the Covenant of Peace to rest wholly upon the estimate which each nation might place upon its duty would leave the whole great subject of security and mutual assistance in a state as much at large as that in which it was originally left, for the purpose of determining more exactly what each nation should do in time of crisis, they went forward and added provisions; directing the Council to prepare definite plans of action for the application of the economic blockade; permitting the Council to receive undertakings from the member states stating the extent to which upon occasion they would bring forces into action; and specifically authorizing treaties of mutual assistance between member nations specifying what each would be willing to do in case of aggressive war to restore the general peace. By such plans, agree-

ments and treaties supplemental to the Protocol each nation would know just what assistance it could depend upon should it be assailed by a Covenant-breaking state, and, what is quite as important, any nation contemplating disloyalty to the cause of peace would understand clearly the power of the combination of nations with which it must contend should it resort to war. Again anticipating the objection that the grouping of some nations under a treaty of mutual assistance might lead to hostile grouping of other nations, and thus restore the old balance of power evils which proved so disastrous in the past, the Protocol provides not only that all such treaties and agreements for mutual assistance shall be registered and published by the Secretariat of the League of Nations, and that they shall remain open to all member states which may desire to accede to them, but that in addition to this, and for this purpose most important of all, no military action whatever may be taken under the Protocol itself or under any agreement or

treaty for Mutual Assistance supplementing it, until the Council as their representative shall call upon the faith-keeping nations to unite to preserve the integrity of the Covenant and to restore peace to the world. But, yet more, to the end that war thus legitimately commenced to protect civilization may not be waged for the destruction even of a Covenant-breaking state, or of the independence of its people, the further power is committed to the Council to decide when the purpose of the war being accomplished it shall cease and the normal conditions of peace be restored again.

And, yet again, in addition to all this extension and elaboration of the sanctions of the Covenant, the Protocol adds a new sanction of its own in the declaration, that any nation resorting to war of aggression, if it fail, shall be obliged to pay the entire cost to the loyal states of all warlike operations undertaken to restore peace, also for all losses suffered by civilians or combatants, and for all material damage caused by both sides "to the extreme limit of its capacity" to pay.

Thus if this instrument shall be given effect there will be permanently placed before any nation contemplating war a new measure of responsibility in case of failure—the certain prospect of being obliged to suffer taxation for generations, as Germany must now suffer it, “to the extreme limit of its capacity to pay.” There cannot be any doubt that such a prospect must serve as a great peace-maker in the world so long as the fate of Germany and Austria remain in the memories of statesmen and peoples.

Such in barest outline are the sanctions upon which this new Charter of Peace relies to prevent war and to restore peace if in defiance of its pacific methods for settling disputes, war must come.

It would seem that such a program should satisfy even the most extreme of rational pacifists, for it must not be overlooked that these sanctions are not to be resorted to until the most elaborate processes ever proposed for maintaining peace by moral and pacific methods have first been tried and have failed. Diplo-

macy, conciliation, discussion between the interested parties, discussion with disinterested nations whose only interest is to maintain peace, arbitration in all its forms, and the focusing as never before of the moral opinion of the world upon the right and wrong of the controversy, must all have been tried and have failed and some nation, rejecting all of these pacific measures, must have resorted to war before under the terms of this Protocol its measures of coercion and force are to be thought of. And even when aggression had come, the first defense to be relied upon is the coercive power of the economic and social boycott against which it is believed no commercial nation, great or small, could long successfully contend. This substitute of the modern interdependent business world for war must also have failed to restore peace before the faith-keeping nations would proceed to engage in the only war which would be legitimate under this novel proposal, viz., war against a Covenant-breaking state, entered upon as a common, coöperative effort by the loyal

nations to restore and render secure the general peace of the world.

We come next to what I have designated the third division of this instrument, in which provision is made for determining when a nation has so violated its Covenants as to have become the common enemy of all the loyal states and of the peace of the world.

You all remember that it is only "aggressive war" that is condemned as a crime and that defensive war or war in the common cause is, as yet, permitted, and provided for. But since no nation will ever admit that it is an aggressor in a war—Germany even contends that it was the victim of aggression in 1914—the devising of a method for determining which is the aggressor in a given case has proved a matter of greatest difficulty, for such decision must be made, very promptly upon the outbreak of hostilities, and so justly as to command the approval of the other nations without committing to the Council such discretionary powers as may raise the specter of a super-state to frighten the extreme

nationalists in many states as was done five years ago. The process for determining this question,—which nation is the aggressor and therefore the common enemy—which has been written into the Protocol and which seems to satisfy all objections which have been made to other processes, is as follows: When hostilities have broken out any nation which has refused to submit the dispute involved to the procedure for settlement which the Protocol provides, and which has just been described, or which, having submitted to such procedure refuses to comply with the decision rendered, *shall be presumed to be an aggressor* unless the Council shall unanimously declare otherwise.

Likewise any nation shall be presumed to be an aggressor, which shall violate rules laid down for a demilitarized zone, which shall violate any order of the Council enjoining preparations for war in excess of those allowed to it by the plan for limitation of armaments which it is assumed will be adopted, whether such preparation is undertaken before a dis-

pute is submitted for decision or during such submission, or which shall violate any armistice enjoined by the Council for the purpose of giving it time to determine, should it be doubtful, which nation is the aggressor. By thus agreeing in this fundamental instrument that the doing of certain things and the failure to do others of such conspicuous character that there can rarely be difference of opinion as to whether they have been done or not, and by providing that from doing or failing to do these things what amounts to a conclusive presumption of aggression shall arise, practically all discretion, all opportunity for either favoritism or mistake of judgment, is taken away from the Council of the League, and whether, in a given case, a nation has been guilty of resorting to aggressive war in violation of its Covenants and thereby has become the common enemy is automatically determined in advance by the agreement of the nations themselves.

This resort to a presumption to which all members thus agree in advance of the

arising of a dispute, takes away from the Council all of that supposed power to declare war and command armies which seemed so formidable to many persons in 1920—it makes an end of all rational fear of a super-state concealed in the Council of the League of Nations.

With the aggressor thus determined the process for applying the penalties which we have described moves rapidly forward. All that remains for the Council to do is to advise the member nations that a case for action has arisen and it then becomes their duty to forthwith apply the economic blockade and to otherwise coöperate “loyally and effectively” in giving support to the Covenant and in resistance to acts of aggression in such degree as the geographical situation of each and its particular condition with respect to armaments will allow. The obligation is to coöperate “loyally and effectively” in resisting the aggressor and in restoring peace, but as to what action this calls for each nation must be its own judge. As has been said the Council has no power to measure any nation’s duty,—no sanc-

tions are provided for failure to respond to its call—what each nation shall do rests wholly with its sense of national honor and upon its geographical and other situation. This might perhaps be thought to constitute a fatal weakness in the Protocol were it not that it will very certainly be compensated for by the definite engagements of various nations with the Council and with each other as to the forces which they will supply in case of war.

These provisions are also entirely new and they constitute a great advance beyond the scope of the Covenant. They are interesting evidence of the rapid development of the spirit of coöperation during the last five years under the intense study of the methods of securing international peace fostered by the activities of the League of Nations, and they prove again the value to mankind of having at least one permanent institution devoted to the cultivation of the means of securing peace for the world.

Such, in large outline, is the system which this Protocol provides for securing

a rational and pacific decision of the merits of every international dispute, for giving effect to such decisions when rendered and for bringing to terms any state, which being misled by national pride or lust of power to break its solemn covenant of peace, attempts to resort again to the barbarous methods and decisions of war. It all seems very simple, but most final solutions of great problems are simple and this one has received such wide approval by many of the first statesmen and students and soldiers of the world that it deserves to be regarded as a most important contribution to that greatest effort of all time which the League of Nations is making to secure permanent peace for mankind.

The experienced statesmen who framed this Protocol realized perfectly that what they were proposing as an amendment and supplement to the Covenant of the League of Nations involved such fundamental changes in that instrument that only a conference of nations comparable to that which framed it would be competent to ratify and give effect to the

program proposed. For this reason it is provided that the Protocol shall take effect only after being approved by the adoption of a plan for the reduction and limitation of armaments by a conference to which all the nations, non-members as well as members of the League, shall be invited.

While this proposed International Conference is in form to be restricted to considering and adopting a plan for the reduction of armaments there is every prospect that, if it meets at all, it will resolve itself into a new constitutional convention with large discretion to enter upon discussion of the whole subject of the Constitution of the League, and especially to suggest such amendments and supplements to the Covenant and to this Protocol as five years' experience and discussion have shown to be necessary to accomplish in practice the great design of its framers. The Protocol and its call for a world conference are a plain declaration on the part of the member nations that the Covenant must be largely amended and supplemented in order to

accomplish its purpose and that they are entirely willing that all necessary change or extension shall be made but only upon the fullest conference of all the nations which it is possible to induce to participate and therefore all are to be invited to attend and join in its deliberations.

The best friends of the League of Nations are the last to claim that either the Covenant or the Protocol is a perfect instrument, on the contrary they frankly confess that each is an obvious and necessary compromise of the varying views of many nations and that if judged by an ideal standard both are very imperfect, but on the other hand they confidently claim that measured by any of the other attempts which have been made in the past to devise a method for regulating international relations the advance which they record must be acknowledged to be very great and to afford every confidence that the nations have a capacity, heretofore unused, sufficient to develop a system for the settlement of international differences which will save our civilization from the destruction with

which it is so certainly threatened by modern war.

Time and the proprieties both forbid that in this description of what the Protocol is, any considerable attempt should be made to indicate how it is thought it might be improved, but I cannot withhold a single suggestion. There can be little doubt, for instance, that an honest fear of the League has been excited in many American minds by the manner in which both the Covenant and the Protocol deal with domestic questions and that this could in large measure be allayed by an amendment or reservation specifically naming the questions which by general consent among the nations are regarded as domestic in character and therefore within the sole jurisdiction of each nation. Plainly the framers of both the Covenant and Protocol assumed that what are domestic questions is so clearly determined by international law that whenever the claim is made that a dispute arises out of such a question, as, for instance, from a tariff law or a regulation of immigration, it

would be sufficient that it should be referred to the Council or the World Court for final decision. It is clear, however, that it has become the general conviction, certainly in the United States, that this is not sufficient, and that it would be wiser and better to definitely remove, so far as possible, all such questions from the field of international controversy and perhaps to declare that any nation resorting to war with any other over a dispute arising out of any such question should thereby become a common enemy of the League and subject to all of its sanctions and penalties.

Without more; it is plainly apparent that the coming International Conference, whether it shall be held in June next or not until later is destined to be one of the most fateful peace congresses of all time and that it will furnish an opportunity not likely to come again for our country to present to the other nations, what the matured opinion of the American people is toward this supreme effort to organize the world for peace.

It is now beyond dispute that the

League of Nations is one of the most firmly established political institutions in the world. Regardless of what they may have thought of it at first, Britain and France, and Japan, and the many smaller member nations, now regard it as the one agency affording a rational hope for securing permanent international peace and they will not let it die. With or without the United States the League will go forward having its successes and failures, its advances and retreats, but, nevertheless, it will go forward to larger and larger authority as an international institution. It will soon be, if indeed it is not now, the indispensable international agency without which it will be impossible for any great nation to maintain its necessary business and political relations with other powers, and, therefore, the question for us to decide is whether our peace-loving republic shall join in the great experiment while there is yet time to aid in its development and in the determination of the scope of its jurisdiction and powers, or whether we shall continue, by holding aloof, to contribute to its

discouragement and to the extent of our influence and example, to its defeat.

It is entirely possible for our government to accept the invitation which has already been extended to it to participate in the proposed International Conference, whether it be held in June next or later, without being obliged to accept its results or to assume any obligations under the Covenant of the League of Nations and therefore every effort of every friend of peace in America should be directed toward securing the acceptance of that invitation, to the end that by adequate representation American standards of international justice and right and law may at least be placed before the other nations as they go forward to formulate their conclusions which may very likely prove to be as fateful to us as to themselves. No nation can safely attempt to stand aloof and alone in this modern world.

Ladies and gentlemen: It must be said with deep regret by every friend of World Peace in America that already this, as yet wholly tentative plan for providing a substitute for war, is being received by

a small group of statesmen and by a smaller but more influential group of editors in that same critical and hostile spirit in which they have been dealing with the Covenant of the League of Nations from the beginning, and therefore it becomes necessary for me before concluding this address to refer to two unworthy and unfair attacks which have been made by such men upon this Protocol.

It is provided in Article 5 of the Protocol that if in the course of any arbitration one of the parties claims "that the dispute or a part thereof arises out of a matter which by international law is solely within the domestic jurisdiction of that party" the arbitrators shall obtain the opinion of the World Court upon the question. If the Court shall conclude it to be a domestic question, within the sole jurisdiction of the one state, the arbitrators shall go no further and shall make no recommendation as to its settlement, but such holding shall not prevent the further consideration of the controversy by the Council or the Assembly under Article 11 of the Cove-

nant. Likewise it is provided in Article 10 that, if a nation shall refuse to comply with a holding by the World Court, the Council, or an arbitral tribunal, that a dispute arises out of a matter which by international law is solely within the exclusive domestic jurisdiction of an adversary state and shall go to war about it, such refusing state *shall not be presumed to be an aggressor* in the war, and therefore a common enemy of the League, if it shall have submitted the question to the Council or to the Assembly under Article 11 of the Covenant.

These exceptions to the finality of the decisions as to domestic questions were introduced to satisfy objections on the part of Japanese delegates and it has already been widely misrepresented that the result of them is that if we should enter the League it would have jurisdiction to pass upon the merit of our domestic questions, such as immigration, the tariff, and the Monroe Doctrine, and to resort to all of the resources of the League to compel our obedience to its decisions. Time forbids my giving the

process leading to my conclusion but it seems to me very clear that the effect of these reservations is simply to exclude domestic questions from the final jurisdiction of the Court or League and that they remain, as under the Covenant, subject to settlement under the general principles and practices of international law and finally by the arbitrament of war. It is now, and always has been, the purpose of the League of Nations to deal only with international disputes and therefore both the Covenant and this Protocol disclaim jurisdiction over any domestic questions. This is precisely where the 4th Senate reservation of 1919 and of 1920 placed such domestic questions and where our government, speaking through Secretary Hughes, desires they should be placed, viz., outside the jurisdiction of the League of Nations and therefore subject to final settlement only by the wise processes of war. Any fair interpretation of the attitude of the Japanese delegates places them in full accord with our Senate of 1919 and 1920 and our government of to-day. Whether

other provisions of the Protocol would render a nation which under any circumstances would resort to war a common enemy we need not consider.

However, whatever of obscurity arises from these exceptions will probably be cleared up by the International Conference which the Protocol provides shall be held and it could easily be eliminated by a simple reservation such as I have suggested.

Article 16 must be noticed for it also has already been much misrepresented in our country. This article provides that in the event of a dispute arising between a state which has ratified the Protocol and one which has not accepted it and which is not a member of the League of Nations, such non-member shall be invited to accept the obligations and privileges of this new system, but only temporarily for the pacific settlement of such pending controversy. If the state so invited shall refuse to accept such invitation and shall go to war with the member state then all the sanctions of the Covenant and Protocol shall be applied against it.

It has been widely asserted by the

critics of the League that this article is a cunningly devised scheme to force our government into the League, by thus threatening a union of all the member nations against us, should such an emergency arise.

It is sufficient answer to say that this provision is in substance not at all different from Article 17 of the Covenant of the League as it was originally adopted, when we, and all the world, confidently believed the United States would become a leading member in the League of Peace, and therefore it is sheer misrepresentation to say that it was adopted from the sinister motives thus ascribed to so many friendly powers.

There are several other subordinate provisions of this Protocol, all designed to promote its main purpose, but enough has been said to make it clear that it must succeed or fail upon the three great proposals which have been described, viz., that the World Court shall be given compulsory jurisdiction over all justiciable disputes; that voluntary or compulsory arbitration shall be accepted for

decision of all other disputes; and that when a nation shall be deemed an aggressor and therefore the common enemy of the peace of the world, shall be determined by the presumption prescribed in time of peace, when heads are clear and blood is cool, by all the nations ratifying the Protocol.

The conception taken as a whole is so comprehensive, is such a new thing in the world that, inspiring though it is, it may very well be that the nations have not yet reached a sufficiently civilized state to accept it just now, but this should not deter the friends of peace from discussing it and cordially recommending it to our countrymen and neighbors. Mankind is distrustful, perhaps justly distrustful, of new proposals for great and sudden political changes and can be brought to accept them only by being made familiar with them by examination and discussion, which sometimes must be long continued. But this Protocol is no more revolutionary in international affairs than the United States Constitution was a century and a quarter

ago in national government. It is no more revolutionary than was the abolition of slavery or of the saloon and if measured by moral, property, or political standards its importance is at least as great as either one of these. Therefore, it is the duty of every friend of world peace to press this new program upon the attention of his neighbors in every way in his power.

But how stands the prospect for the Protocol with the other nations and with our own? You all remember that the program cannot come into effect until a plan for limitation of armaments shall have been adopted by an international conference held for that purpose and that such a conference cannot be held until three of the four nations having permanent representation on the Council of the League of Nations and ten other nation members shall have ratified the Protocol. The four nations having permanent members on the Council of the League are Great Britain, France, Italy, and Japan. Of these, France alone has signified her unqual-

ified intention to ratify. Judging from appearances only, and without special information, it seems highly improbable that Italy under the leadership of a Mussolini will accept such a program of peace. Personally, I shall be disappointed if Japan does not ratify, perhaps with some moderate reservations. No nation in the world accepts the leadership in foreign affairs of its best educated and wisest statesmen so fully as does Japan. And as to Great Britain the prevailing opinion is that the present Conservative Government will accept this program of its Labor Government predecessor only with reservations such as will render necessary a postponement of the International Conference called for next June until after another meeting of the Assembly of the League of Nations in September, in order that proposed amendments to the Protocol may be considered.¹ Unfortunately the fateful subject seems to be falling into the same morass of party politics in Britain in which it became enmeshed and all but lost in the

¹ Delivered January 26, 1925.

United States. All this, however, is pure conjecture and all we can be sure of is that so many representatives of the nations having approved the Protocol in October the advance which it records toward world peace can never be wholly lost.

And how stands the program with our own country? Frankly, I think it must be conceded that it is highly probable that we have not yet arrived at a stage of civilization capable of accepting such pacific settlement of all international disputes as the Protocol provides. The recent discussion in the United States Senate over mere money relations with other nations, as well as other recent debates, show that many of our statesmen are still so dominated by an extreme nationalistic spirit,—by such pride in our wealth and numbers, and in our supposed power to impose our will on other nations—that they are not likely to be willing to submit any controverted question for decision to any rational tribunal in preference to the savage judgment of war. It may be, pray God it may not be, necessary that our country

must suffer as the European nations have suffered before we can be induced to join them in the heroic effort they are making to advance toward wiser methods. It seems impossible that this nation of ours which has least to risk in the great experiment, but most to lose if it shall fail, should permit itself to be the greatest obstacle to this most comprehensive and promising attempt of all time to organize the world for peace.

But over against all this discouragement is the fact that our universities, colleges and schools, our churches and labor unions and above all, our women and natural leaders everywhere, are determined that America shall not lag behind her sister nations in the march of civilization and that the promise made to the living and the dead shall be redeemed, that the World War should end all wars, that never again shall such a calamity return to desolate the earth. The friends of peace must not be discouraged by reverses or even by temporary defeats. This first serious and rational attempt by responsible statesmen to organize the

world for peace began only six years ago and it is too soon as yet to hope for the complete triumph of so new and great a cause. The acceptance of the Covenant of the League of Nations by 55 states and the organization under it, followed by the approval of this Protocol by the representatives of 48 nations, together constitute a greater, a very much greater advance toward world peace than was ever achieved before in recorded history, and it is impossible to doubt that ultimately reason and discussion, justice and law, which are civilization's ways of settling international disputes, will triumph over ignorance and force and war, which are the savage way—to doubt this would be to doubt the moral government of our world.

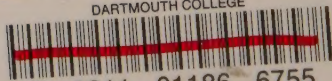
I may not, I probably shall not, live to see the great cause in the day of its complete triumph, but many of you here present will live to see that day and I adjure you therefore to press confidently forward in the great crusade for a warless world—the noblest purpose that can inspire the lives of men or nations.

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